

1 [Authorization to make a binding settlement offer.]

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3 **Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to**  
 4 **California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western**  
 5 **Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated**  
 6 **Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San**  
 7 **Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00;**  
 8 **and in no event any amount that would create liability to the City pursuant to the Most**  
 9 **Favored Nations Clause in the General Motors Corporation v. City and County of San**  
 10 **Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and**  
 11 **Eastman Kodak Company v. City and County of San Francisco San Francisco Superior**  
 12 **Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.**

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14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The City Attorney is hereby authorized to make an offer to allow judgment  
16 pursuant to California Code of Civil Procedure Section 998.

17 Section 2. The City Attorney is hereby authorized to make an offer to allow judgment  
18 pursuant to California Code of Civil Procedure Section 998 in an amount not to exceed  
19 \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to  
20 the Most Favored Nations Clause in the GM cases Settlement Agreements.

21 APPROVED AS TO FORM AND  
22 RECOMMENDED:  
23 DENNIS J. HERRERA, City Attorney

FUNDS AVAILABLE:

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25 JULIE VAN NOSTERN  
Deputy City Attorney

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EDWARD HARRINGTON  
Controller

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