

1 [Settlement of Lawsuit - AvalonBay Communities, Inc. and MVP I, LLC - \$166,019.37]

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3 **Ordinance authorizing settlement of the lawsuit filed by AvalonBay Communities, Inc.**  
4 **and MVP I, LLC against the City and County of San Francisco for \$166,019.37; the**  
5 **lawsuit was filed on January 12, 2018, in San Francisco Superior Court, Case**  
6 **No. CGC-18-563657; entitled AvalonBay Communities, Inc. et al. v. City and County of**  
7 **San Francisco et al.; the lawsuit involves a claim for refund of payroll expense taxes**  
8 **and gross receipts taxes for tax years 2014 and 2015.**

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

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12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
13 authorizes the City Attorney to settle the action entitled *AvalonBay Communities, Inc. et al. v.*  
14 *City and County of San Francisco et al.*, San Francisco Superior Court, Case  
15 No. CGC-18-563657 by the payment of \$166,019.37. The lawsuit involves a claim for refund  
16 of payroll expense taxes and gross receipts taxes for tax years 2014 and 2015.

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18 Section 2. The above-named action was filed in San Francisco Superior Court on  
19 January 12, 2018, and the following parties were named in the lawsuit: Plaintiffs AvalonBay  
20 Communities, Inc. and MVP I, LLC, and defendants City and County of San Francisco, José  
21 Cisneros, Treasurer and Tax Collector of the City and County of San Francisco, and Does 1  
22 through 50.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

RECOMMENDED:

Office of the Treasurer and Tax Collector

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SCOTT M. REIBER  
Chief Tax Attorney

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JOSE CISNEROS  
Treasurer

FUNDS AVAILABLE:

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BEN ROSENFELD  
Controller

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