

1 [Settlement of Unlitigated Claims - AppLovin Corporation - \$4,197,820.54 Plus Statutory
2 Interest]

3 **Resolution approving the settlement of the unlitigated claims filed by AppLovin**
4 **Corporation against the City and County of San Francisco for \$4,197,820.54 plus**
5 **statutory interest; the claims were filed on February 15, 2023; the claims involve a**
6 **refund of gross receipts taxes and homelessness gross receipts taxes; additional**
7 **material terms of the settlement are: 1) the resolution of all claims and potential claims**
8 **for refund of gross receipts taxes and homelessness gross receipts taxes for tax years**
9 **2019 and 2020, and 2) the agreement that AppLovin Corporation and its related entities**
10 **shall take certain filing positions with respect to their gross receipts taxes,**
11 **homelessness gross receipts taxes, and overpaid executive taxes for tax years 2021**
12 **and subsequent tax years, and with respect to their business registration fees for**
13 **registration years ending June 30, 2022, and subsequent years.**

14
15 WHEREAS, AppLovin Corporation filed claims on February 15, 2023, against the City
16 and County of San Francisco; and

17 WHEREAS, The claims involve a refund of gross receipts taxes and homelessness
18 gross receipts taxes; and

19 WHEREAS, The Office of the Treasurer and Tax Collector has recommended
20 settlement of the claims and potential claims for refund of gross receipts taxes and
21 homelessness gross receipts taxes for tax years 2019 and 2020 by payment of \$4,197,820.54
22 plus statutory interest, and the agreement that AppLovin Corporation and its related entities
23 shall take certain filing positions with respect to their gross receipts taxes, homelessness
24 gross receipts taxes, and overpaid executive taxes for tax years 2021 and subsequent tax
25

1 years, and with respect to their business registration fees for registration years ending
2 June 30, 2022, and subsequent years; now, therefore, be it

3 RESOLVED, That pursuant to Administrative Code, Section 10.22, the Board of
4 Supervisors hereby authorizes the City Attorney to settle and compromise the claims and
5 potential claims for refund of gross receipts taxes and homelessness gross receipts taxes for
6 tax years 2019 and 2020 by payment of \$4,197,820.54 plus statutory interest, and the
7 agreement that AppLovin Corporation and its related entities shall take certain filing positions
8 with respect to their gross receipts taxes, homelessness gross receipts taxes, and overpaid
9 executive taxes for tax years 2021 and subsequent tax years, and with respect to their
10 business registration fees for registration years ending June 30, 2022, and subsequent years.

11
12 APPROVED:

13 DAVID CHIU
14 City Attorney

15 /s/ Scott M. Reiber
16 SCOTT M. REIBER
17 Chief Tax Attorney

RECOMMENDED:

TREASURER AND TAX COLLECTOR

15 /s/
16 JOSE CISNEROS
17 Treasurer

18 FUNDS AVAILABLE:

19 /s/ Ben Rosenfield
20 BEN ROSENFELD
21 Controller

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25



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230695

Date Passed: September 05, 2023

Resolution approving the settlement of the unlitigated claims filed by AppLovin Corporation against the City and County of San Francisco for \$4,197,820.54 plus statutory interest; the claims were filed on February 15, 2023; the claims involve a refund of gross receipts taxes and homelessness gross receipts taxes; additional material terms of the settlement are: 1) the resolution of all claims and potential claims for refund of gross receipts taxes and homelessness gross receipts taxes for tax years 2019 and 2020, and 2) the agreement that AppLovin Corporation and its related entities shall take certain filing positions with respect to their gross receipts taxes, homelessness gross receipts taxes, and overpaid executive taxes for tax years 2021 and subsequent tax years, and with respect to their business registration fees for registration years ending June 30, 2022, and subsequent years.

July 20, 2023 Government Audit and Oversight Committee - RECOMMENDED..

September 05, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230695

I hereby certify that the foregoing Resolution was ADOPTED on 9/5/2023 by the Board of Supervisors of the City and County of San Francisco.

f Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

9/15/23

Date Approved