

1 [Settlement of Lawsuit - Jonathan Tuse and Sarah Falconer - \$525,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Jonathan Tuse and Sarah**
4 **Falconer against the City and County of San Francisco for \$525,000; the lawsuit was**
5 **filed on March 23, 2020, in San Francisco Superior Court, Case No. CGC-20-583895;**
6 **entitled Jonathan Tuse, et al. v. City and County of San Francisco, et al.; the lawsuit**
7 **alleged a personal injury in Huntington Park resulting from a falling tree branch.**

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

10 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Jonathan Tuse, et al. v. City and
12 County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-20-583895 by
13 the payment of \$525,000. The lawsuit alleged a personal injury in Huntington Park resulting
14 from a falling tree branch.

15 Section 2. The above-named action was filed in San Francisco Superior Court on
16 March 23, 2020, and the following parties were named in the lawsuit: Plaintiffs Jonathan
17 Tuse, Sarah Falconer; Defendants City and County of San Francisco; The Davey Tree Expert
18 Company, and Nob Hill Association.

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APPROVED AS TO FORM AND
RECOMMENDED:

DAVID CHIU
City Attorney

/s/ Meredith B. Osborn
MEREDITH B. OSBORN
Chief Trial Deputy

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield
BEN ROSENFELD
Controller

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RECOMMENDED:

RECREATION AND PARK DEPARTMENT

/s/
PHIL GINSBURG
General Manager

APPROVED:

/s/
ASHLEY SUMMERS
Secretary, Recreation and Park Commission



City and County of San Francisco

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

Tails
Ordinance

File Number: 220376

Date Passed: June 14, 2022

Ordinance authorizing settlement of the lawsuit filed by Jonathan Tuse and Sarah Falconer against the City and County of San Francisco for \$525,000; the lawsuit was filed on March 23, 2020, in San Francisco Superior Court, Case No. CGC-20-583895; entitled Jonathan Tuse, et al. v. City and County of San Francisco, et al.; the lawsuit alleged a personal injury in Huntington Park resulting from a falling tree branch.

May 19, 2022 Government Audit and Oversight Committee - RECOMMENDED

June 07, 2022 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

Absent: 1 - Mandelman

June 14, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai and Walton

Excused: 1 - Stefani

File No. 220376

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/14/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

6/24/22

Date Approved