

1 [Settlement Of Lawsuit]
 2 AUTHORIZING SETTLEMENT OF THE LAWSUIT FILED BY CLINTON REILLY, CLINTON
 3 REILLY FOR MAYOR AND FRED A. RODRIGUEZ, AGAINST THE CITY AND COUNTY OF
 4 SAN FRANCISCO AND LOUISE RENNE IN HER OFFICIAL CAPACITY AS CITY
 5 ATTORNEY TO ENJOIN THE VARIABLE CONTRIBUTION LIMIT IN THE CAMPAIGN
 6 FINANCE REFORM ORDINANCE; THE LAWSUIT WAS FILED ON SEPTEMBER 29, 1999
 7 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
 8 CALIFORNIA, CASE NO. C 99-4395 CW; ENTITLED CLINTON REILLY, ET AL., V. CITY
 9 AND COUNTY OF SAN FRANCISCO, ET AL; THE MATERIAL TERMS OF SAID
 10 SETTLEMENT ARE THAT THE PARTIES WILL ABIDE BY THE DECISION IN CALIFORNIA
 11 PROLIFE COUNCIL POLITICAL ACTION COMMITTEE V. JAN SCULLY, NO. CIV. 2-96-
 12 1965/LKK (E.D. CAL.) ON THE CONSTITUTIONALITY OF THE VARIABLE CONTRIBUTION
 13 LIMITS ENACTED BY THE STATE OF CALIFORNIA, THAT PENDING THE FINAL
 14 DECISION IN *SCULLY* THE PRELIMINARY INJUNCTION ENTERED IN *REILLY V. RENNE*
 15 WILL REMAIN IN EFFECT, THAT THE PLAINTIFFS WAIVE ATTORNEY FEES AND COSTS
 16 AND EACH PARTY BEARS ITS OWN ATTORNEY FEES AND COSTS, AND THAT THE
 17 JUDGMENT ENTERED BY STIPULATION OF THE PARTIES WILL NOT HAVE
 18 PRECLUSIVE EFFECT IN ANY FUTURE LITIGATION.

19
20 Be it ordained by the People of the City and County of San Francisco:

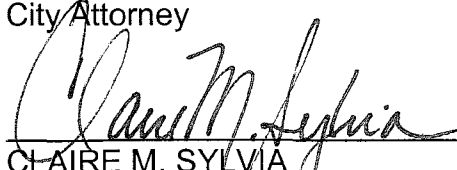
21 Section 1. The City Attorney is hereby authorized to settle the action entitled "Clinton
 22 Reilly, et al., v. City and County of San Francisco, et al., United States District Court for the
 23 Northern District of California, Case No. C99-4395 CW by agreeing to abide by the decision in
 24 California Prolife Council Political Action Committee v. Jan Scully, No. Civ. 2-96-1965/LKK
 25 (E.D. Cal.) ("*Scully*") on the constitutionality of the variable contribution limits enacted by the

1 State of California, and agreeing that the preliminary injunction entered in *Reilly v. Renne* will
2 remain in effect pending the final decision in *Scully*, that the plaintiffs waive attorney fees and
3 costs and each party bears its own attorney fees and costs, and that the judgment entered by
4 stipulation of the parties will not have preclusive effect in any future litigation.

5 Section 2. The above-named action was filed in the United States District Court for the
6 Northern District of California on September 29, 1999, and the following parties were named
7 in the lawsuit: Clinton Reilly, Clinton Reilly for Mayor, and Fred A. Rodriguez (plaintiffs) and
8 the City and County of San Francisco and Louise Renne in her official capacity as the City
9 Attorney for the City and County of San Francisco (defendants).

10
11 APPROVED AS TO FORM AND
RECOMMENDED:

12 LOUISE H. RENNE
13 City Attorney

14 
15 _____
16 CLAIRE M. SYLVIA
Deputy City Attorney



City and County of San Francisco

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

Tails

Ordinance

File Number: 000682

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by Clinton Reilly, Clinton Reilly for Mayor and Fred A. Rodriguez, against the City and County of San Francisco and Louise Renne in her official capacity as City Attorney to enjoin variable contribution limit in the Campaign Finance Reform Ordinance; the lawsuit was filed on September 29, 1999 in the United States District Court for the Northern District of California, Case No. C99-4395 CW; entitled Clinton Reilly, et al., v. City and County of San Francisco, et al.; the material terms of said settlement are that the parties will abide by the decision in California ProLife Council Political Action Committee v. Jan Scully, No. CIV.2-96-1965/LKK (E.D. Cal.) on the constitutionality of the variable contribution limits enacted by the State of California, that pending the final decision in Scully the preliminary injunction entered Reilly v. Renne will remain in effect, that the plaintiffs waive attorney fees and costs and each party bears its own attorney fees and costs, and that the judgment entered by stipulation of the parties will not have preclusive effect in any future litigation.

May 8, 2000 Board of Supervisors — PASSED ON FIRST READING

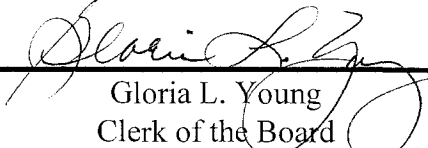
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 15, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 000682

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 15, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



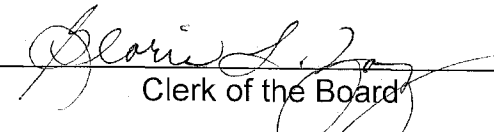
Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

Date: May 26, 2000

I hereby certify that the foregoing ordinance, not being signed by the Mayor
within the time limit as set forth in Section 3.103 of the Charter, became effective
without his approval in accordance with the provision of said Section 3.103 of the
Charter.



Clerk of the Board

File No.
000682