

1 [Settlement of Unlitigated Claim - Covidien Sales LLC - Medtronic to Pay City \$800,000]

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3 **Resolution approving the settlement of the unlitigated claim filed by the City against**
4 **Covidien Sales LLC, a Medtronic Company (Medtronic) for \$800,000 including the**
5 **return of a ventilator fleet at Medtronic's expense.**

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7 WHEREAS, The unlitigated claim by the City involves a contract dispute regarding
8 Medtronic's provision of a ventilator fleet to the Department of Public Health (Department);
9 and

10 WHEREAS, The Department has recommended settlement of the unlitigated claim by
11 payment of \$800,000 from Medtronic to the City, plus the City's return of the ventilator fleet at
12 Medtronic's expense; now, therefore, be it

13 RESOLVED, That pursuant to San Francisco Administrative Code, Section 10.24(b)
14 (Claim Over \$25,000, Not Litigated), the Board of Supervisors hereby authorizes the City
15 Attorney to settle the unlitigated claim of the City against Medtronic, by the payment
16 of \$800,000 from Medtronic to the City and the City's return of the ventilator fleet at
17 Medtronic's expense, with each party to bear its own legal fees and costs.

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APPROVED:

DENNIS J. HERRERA
City Attorney

/s/
JULIE VAN NOSTERN
Chief Attorney
Health & Human Services

FUNDS RECEIVABLE:

/s/
BEN ROSENFELD
Controller

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RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

/s/
GRANT COLFAX, M.D.
Director of Health
Department of Public Health

APPROVED:

/s/
MARK MOREWITZ
Secretary, Health Commission