

1 Settlement of Lawsuit

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3 **Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for**
4 **themselves and others similarly situated, against the City and County of San Francisco**
5 **for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the**
6 **United States District Court for the Northern District, Case No. C05-1287, entitled**
7 **Francis Kelly, et al., v. City and County of San Francisco, et al.**

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

9 Section 1. The City Attorney is hereby authorized to settle the action entitled "Francis
10 Kelly, et al., v. City and County of San Francisco, et al.", United States District Court for the
11 Northern District, Case No. C05-1287, by payment of \$755,000.00 plus interest accrued from
12 January 1, 2007 at the annual rate of 4.9%. The principal sum shall be allocated as follows:
13 a) \$654,000.00 as back wages, less applicable taxes and withholdings; b) \$101,000.00 for
14 attorneys' fees and costs.

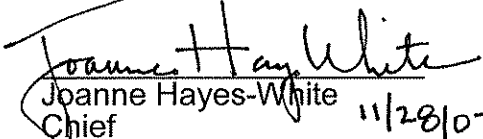
15 Section 3. The above-named action was filed in United States District Court for the
16 Northern District, on February 25, 2005, Case No. C05-1287. The following parties were
17 named in the lawsuit: Francis Kelley, Dennis Kruger, Robert P. Anderson, George O.
18 Bullwinkel, Stephen C. Christensen, Fred J. Fegan, Gerald L. Grey, Thomas E. Kazarian,
19 Frank M. Kunst, Gary J. Lavaysse, Patrick H. McLaughlin, Daniel M. O' Donnell, Robert G.
20 Oller, Henry L. Raney, George J. Ripoll, Patricia Caulfield, and Hortence Pucetti and similarly

1 situated former uniformed members of the San Francisco Fire Department, plaintiffs; City and
2 County of San Francisco, Edward Harrington, and Philip Ginsburg defendants


3 APPROVED AS TO FORM:
4 DENNIS J. HERRERA, City Attorney

5 By: 
6 ELIZABETH S. SALVESON
Chief Labor Attorney

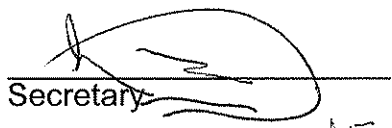
RECOMMENDED:
San Francisco Fire Department

By: 
Joanne Hayes-White
Chief 11/28/07

7 FUNDS AVAILABLE:
8 Office of the Controller

9 By: 
10 EDWARD HARRINGTON
Controller
11 Index Code: 975024
Subobject: 05312

San Francisco Fire Commission

By: 
Secretary
*ACTING
Secretary*



City and County of San Francisco

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

Tails Ordinance

File Number: 080015

Date Passed:

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al.

January 29, 2008 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

February 5, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080015

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on February 5, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

2.7.08

Date Approved



Mayor Gavin Newsom