

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the lawsuit filed by AboveNet Communications,**
4 **Inc., formerly known as Metromedia Fiber Network Services, Inc., a Delaware**
5 **corporation, against the City and County of San Francisco for \$183,479.00; the lawsuit**
6 **was filed on December 10, 2007 in Sacramento Superior Court, Case No. 34-2007-**
7 **00882854; entitled Metromedia Fiber Network Services, Inc., a Delaware corporation, v.**
8 **City and County of San Francisco, et al.; the complaint was amended on August 20,**
9 **2009 to correct the plaintiff's name to AboveNet Communications, Inc.**

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

11 Section 1. The City Attorney is hereby authorized to settle the action entitled
12 "AboveNet Communications, Inc. v. City and County of San Francisco, et al., Sacramento
13 Superior Court, Court No. 34-2007-00882854 by the payment of \$183,479.00.

14 Section 2. The above-named action was filed in Sacramento Superior Court on
15 December 10, 2007, and the following parties were named in the lawsuit: Plaintiff Metromedia
16 Fiber Network Services, Inc.; Defendants California State Board of Equalization, County of
17 Alameda, County of Contra Costa, County of Los Angeles, County of Marin,

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1 County of Orange, County of Placer, County of Sacramento, County of San Diego, City and
2 County of San Francisco, County of San Mateo, County of Santa Clara, and County of
3 Solano.

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5 APPROVED AS TO FORM AND
6 RECOMMENDED:

RECOMMENDED:

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7 DENNIS J. HERRERA
8 City Attorney

ASSESSOR-RECORDER

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9 JULIE VAN NOSTERN
10 Chief Tax Attorney

PHIL TING
ASSESSOR-RECORDER

11 FUNDS AVAILABLE:

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12 BEN ROSENFELD
13 Controller

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