

1 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson LLC - \$127,372]

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3 **Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday**
4 **Bazaar/2170 Folson LLC against the City and County of San Francisco for \$127,372; the**
5 **lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No.**
6 **436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.**

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

8 Section 1. The City Attorney is hereby authorized to settle the portion of the action
9 entitled "Jane Martin, et al. v. City and County of San Francisco, et al.," San Francisco
10 Superior Court, Court No. 436930, as it relates only to co-plaintiff Sunday Bazaar/2170 Folson
11 LLC, by the payment of \$127,372, and excluding the claim by plaintiff 2170 Folson LLC for
12 diminution of property value, and the claims by both 2170 Folson LLC and Sunday Bazaar for
13 attorney's fees, costs and interest, which will be addressed in later proceedings.

14 Section 2. The above-named action was filed in San Francisco Superior Court on
15 January 31, 2005, and the following settling parties were named in the lawsuit: Plaintiffs
16 Sunday Bazaar and 2170 Folson, LLC and Defendant City and County of San Francisco.

17 APPROVED AS TO FORM AND
18 RECOMMENDED:
19 DENNIS J. HERRERA
City Attorney

RECOMMENDED:
PUBLIC UTILITIES COMMISSION

20 _____
21 JOANNE HOEPER, Chief Trial Deputy

ED HARRINGTON, General Manager

22 FUNDS AVAILABLE:

APPROVED:

23 _____

24 BEN ROSENFELD
25 Controller

Secretary
Public Utilities Commission