

1 [Settlement of Lawsuit]

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**Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;**

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

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Section 1. The City Attorney is hereby authorized to settle the action entitled "Mehran Esmaili, et al. v. City of Millbrae, et al.," Santa Clara County Superior Court, Case No. 1-02-CV805070, by the payment of \$49,500.

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Section 2. The above-named action was filed in Santa Clara County Superior Court on September 23, 1999, including consolidated and related actions and cross-actions, and the following parties were named in the lawsuit:

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a. Pinehurst Plaintiffs: David Del Carlo, Hazel Del Carlo, Carl Mattman, Rena Mattman, Salvador Delgado, Mercedes Delgado, Thurman Geary, Evelyn Geary, Glenn T. Buzolich, Erik Erikson and Tammy Astells.

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b. Crestview Plaintiffs, Cross-Complainants, and Cross-Defendants: Mehran Esmaili, Fatemeh Ansarinia, Anthony Ambus, Zetta Ambus, Young Kim, Toni Ambus, George Ambus, Winfred Collier, Nina Collier, Li-Yin Liang, Carey Dare, Bonnie Gin.

1 c. Additional Defendants, Cross-Complainants, and Cross-Defendants: State of  
2 California, City of Millbrae, ITT Financial Investments, Inc., Ernest Bock, Johnson Western  
3 Gunit Company, Detrick Corporation, Leo J. Speckert, California Capital Loans, Inc., John  
4 Gard, Robert Bartels, Rancho Research & Management, Ferma Corporation, and Kleinfelder,  
5 Inc.

6 APPROVED AS TO FORM AND  
7 RECOMMENDED:

8 DENNIS J. HERRERA  
9 City Attorney

RECOMMENDED:

San Francisco Public Utilities Commission

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11 JOANNE HOEPER  
12 Chief Trial Deputy

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GENERAL MANAGER  
Susan Leal

12 FUNDS AVAILABLE:

APPROVED:

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SECRETARY OF COMMISSION NAME  
Public Utilities Commission

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16 EDWARD HARRINGTON  
17 Controller

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