

[Settlement of Lawsuits - Gajanan, Inc. et al. - \$1,191,000]

Ordinance authorizing settlement of the lawsuits filed by AGPME Tenant LLC, KPH Management LLC, Mangal Inc., Gajanan, Inc., Engage Hospitality LLC, Engage with SF Hospitality LLC, and Lombard Hospitality LLC against the City and County of San Francisco for \$1,191,000; the lawsuits were filed on February 9, 2016, and September 16, 2016, in San Francisco Superior Court, Case Nos. CGC-16-554309, CGC-16-550354, CGC-16-550351, and CGC-16-554304, and California Court of Appeal Case Nos. A160539 and A168328; entitled Gajanan Inc. et al. v. City and County of San Francisco et al.; AGPME Tenant, LLC v. City and County of San Francisco et al.; KPH Management LLC et al. v. City and County of San Francisco et al.; and Mangal Inc. et al. v. City and County of San Francisco et al.; the remaining issues in the lawsuits involve claims for attorneys' fees on the City's appeal of the San Francisco Superior Court's decision against the City on attorneys' fees, claims for interest on the City's attorneys' fees payment, and claims for costs on appeal.

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

Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the actions entitled Gajanan Inc. et al. v. City and County of San Francisco et al.; AGPME Tenant, LLC v. City and County of San Francisco et al.; KPH Management LLC et al. v. City and County of San Francisco et al.; and Mangal Inc. et al. v. City and County of San Francisco et al., San Francisco Superior Court, Case Nos. CGC-16-554309, CGC-16-550354, CGC-16-550351, and CGC-16-554304, and California Court of Appeal Case Nos. A160539 and A168328, by the payment of \$1,191,000. The remaining issues in the lawsuits involve claims for attorneys' fees on the City's appeal of

the San Francisco Superior Court’s decision against the City on attorneys’ fees, claims for interest on the City’s attorneys’ fees payment, and claims for costs on appeal.

Section 2. The above-named actions were filed in San Francisco Superior Court on February 9, 2016, and September 16, 2016, and the following parties were named in the lawsuit: Plaintiffs AGPME Tenant LLC, KPH Management LLC, Mangal Inc., Gajanan, Inc., Engage Hospitality LLC, Engage with SF Hospitality LLC, and Lombard Hospitality LLC, and defendant City and County of San Francisco.

APPROVED AS TO FORM AND
RECOMMENDED:

DAVID CHIU
City Attorney

RECOMMENDED:

Office of the Treasurer and Tax Collector

/s/ Scott M. Reiber
SCOTT M. REIBER
Chief Tax Attorney

/s/
JOSÉ CISNEROS
Treasurer

FUNDS AVAILABLE:

/s/ Michelle Allersma for Greg Wagner
GREG WAGNER
Controller

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