

1 [Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - \$175,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan**  
4 **against the City and County of San Francisco for \$175,000; the lawsuit was filed on**  
5 **December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533**  
6 **(consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San**  
7 **Francisco, et al.; the lawsuit involves an alleged dangerous condition of public**  
8 **property causing death; other material terms of said settlement are that the Municipal**  
9 **Transportation Agency is to also pay \$175,000, subject to approval by the Municipal**  
10 **Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance**  
11 **coverage limits).**

12  
13 Be it ordained by the People of the City and County of San Francisco:

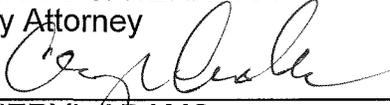
14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled Kai Yuan, et al. v. City and County of  
16 San Francisco, et al., San Francisco Superior Court, Case No. CGC-13-536533 (consolidated  
17 with CGC-14-536903) by the payment of \$175,000; other material terms of said settlement  
18 are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by  
19 the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000  
20 (insurance coverage limits). The lawsuit involves an alleged dangerous condition of public  
21 property causing death.

22 Section 2. The above-named action was filed in San Francisco Superior Court on  
23 December 31, 2013, and the following parties were named in the lawsuit: Plaintiffs: Kai Yuan  
24 and Jian Ping Yuan, Defendants: City and County of San Francisco and Gina Eunice.  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

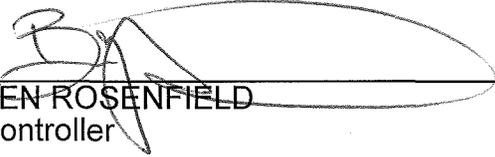
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



CHERYL ADAMS  
Chief Trial Deputy

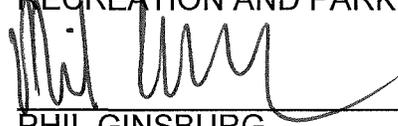
FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

RECREATION AND PARK



PHIL GINSBURG  
General Manager

APPROVED:



MARGARET MCARTHUR  
Secretary, Recreation and Park Commission

n:\it\2015\140790\01065932.doc



**City and County of San Francisco**  
**Tails**  
**Ordinance**

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

**File Number:** 160244

**Date Passed:** May 10, 2016

Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for \$175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance coverage limits).

April 21, 2016 Government Audit and Oversight Committee - RECOMMENDED..

May 03, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee  
Absent: 1 - Mar

May 10, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160244

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
5/10/2016 by the Board of Supervisors of  
the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor

5/20/16

Date Approved