

1 [Settlement of Lawsuit - Jenny Ramirez Valdivia - \$75,000]

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3 **Ordinance authorizing a payment of \$75,000 to the Tort Claims Trust established by the**
4 **Second Amended Joint Chapter 11 Plan of Liquidation of Bird Global, Inc., Bird Rides,**
5 **Inc., Bird US Holdco, LLC, Bird US Opco, LLC, and Skinny Labs, Inc. (collectively,**
6 **“Bird”), approved by the United States Bankruptcy Court, *In re: Bird Global, Inc., et al.*,**
7 **no. 23-20514-CLC (Bankr. S.D. Fla.), in order to resolve the lawsuit filed by Jenny**
8 **Ramirez Valdivia against the City and County of San Francisco; the lawsuit was filed on**
9 **August 10, 2021, in San Francisco Superior Court, Case No. CGC-21-594081; entitled**
10 **Jenny Ramirez Valdivia v. City and County of San Francisco; the lawsuit involves an**
11 **alleged dangerous condition of public property encountered while riding a Bird**
12 **scooter; once the Tort Claims Trust is funded, the terms of Bird’s Second Amended**
13 **Joint Chapter 11 Plan of Liquidation provide that the lawsuit shall be paid solely and**
14 **exclusively from the Tort Claims Trust, which shall assume any and all liability of the**
15 **City and County of San Francisco for such lawsuit.**

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

18 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
19 authorizes the City Attorney to settle the action entitled Jenny Ramirez Valdivia v. City and
20 County of San Francisco, San Francisco Superior Court, Case No. CGC-21-594081 by the
21 payment of \$75,000 to the Tort Claims Trust pursuant to Bird’s Second Amended Joint
22 Chapter 11 Plan of Liquidation. The lawsuit involves an alleged dangerous condition of public
23 property.

1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 August 10, 2021, and the following parties were named in the lawsuit: Plaintiff: Jenny
3 Ramirez Valdivia; Defendant: City and County of San Francisco.
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1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DAVID CHIU
4 City Attorney

5 /s/ Jennifer E. Choi
6 JENNIFER E. CHOI
7 Chief Trial Deputy

8 FUNDS AVAILABLE:

9 /s/ Michelle Allersma for Greg Wagner
10 GREG WAGNER
11 Controller

RECOMMENDED:

PORT OF SAN FRANCISCO

/s/
ELAINE FORBES
Executive Director

APPROVED

/s/
JENICA LIU
Secretary, Port Commission

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