

1 [Settlement of Lawsuit - David Zeller (Deceased) - \$290,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City**
4 **and County of San Francisco for \$290,000; the lawsuit was filed on March 14, 2013, in**
5 **San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. San**
6 **Francisco General Hospital, et al.; the lawsuit involves alleged medical malpractice;**
7 **other terms of the settlement are UC Regents to pay \$200,245 and upon approval by the**
8 **probate court and Plaintiff's acceptance of the probate court's allocation of funds,**
9 **California Department of Health Care Services to disgorge \$65,300 paid for MediCal lien**
10 **to be paid to plaintiff.**

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

13 Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled David Zeller v. San Francisco General
15 Hospital, et al., San Francisco Superior, Case No. CGC-13-529554 by the payment of
16 \$290,000 and UC Regents to pay \$200,245 and upon approval by the probate court and
17 Plaintiff's acceptance of the probate court's allocation of funds, California Department of
18 Health Care Services to disgorge \$65,300 paid for MediCal lien to be paid to plaintiff. The
19 lawsuit involves alleged medical malpractice.

20 Section 2. The above-named action was filed in San Francisco Superior Court on
21 March 14, 2013, and the following parties were named in the lawsuit: Plaintiffs: David Zeller,
22 Michael T. McCowan, as Personal Representative of the Estate of David Zeller, Deceased;
23 Defendants: City and County of San Francisco and Regents of the University of California.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

Cheryl Adams
Chief Trial Attorney

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

BARBARA A. GARCIA
Director

APPROVED:

MARK MOREWITZ
Secretary, Health Commission

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