

PROOF OF SERVICE

I, Pamela Cheeseborough, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, 1 Dr. Carlton B. Goodlett Place, City Hall, Room 234, San Francisco, CA 94102.

On April 2, 2018, I served the following document(s):

SUBPOENA DUCES TECUM FOR RAMIN GOLESORKHI

BOARD OF SUPERVISOR'S MOTION NO. M18-036 RE ISSUANCE OF SUBPOENA

on the following persons at the locations specified:

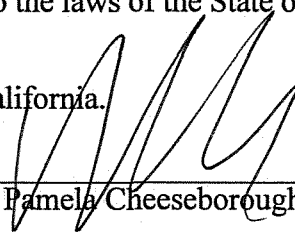
Steven G. Madison
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017

in the manner indicated below:

- BY PERSONAL SERVICE:** I sealed true and correct copies of the above documents in addressed envelope(s) and caused such envelope(s) to be delivered by hand at the above locations by a professional messenger service. A declaration from the messenger who made the delivery is attached or will be filed separately with the court.
- BY OVERNIGHT DELIVERY:** I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and delivery by overnight courier service. I am readily familiar with the practices of the San Francisco City Attorney's Office for sending overnight deliveries. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be collected by a courier the same day.
- BY ELECTRONIC MAIL:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the person(s) at the electronic service address(es) listed above. Such document(s) were transmitted *via* electronic mail from the electronic address: first.last@sfgov.org in portable document format ("PDF") Adobe Acrobat or in Word document format. OR
- BY ELECTRONIC MAIL:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be served electronically through **File & ServeExpress** or **TrueFiling** in portable document format ("PDF") Adobe Acrobat.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed April 2, 2018, at San Francisco, California.



Pamela Cheeseborough

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

JONATHAN GIVNER
Deputy City Attorney

Direct Dial: (415) 554-4694
Email: jon.givner@sfgov.org

April 2, 2018

VIA UPS

Steven G. Madison
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017

Re: Subpoena for Ramin Golesorkhi

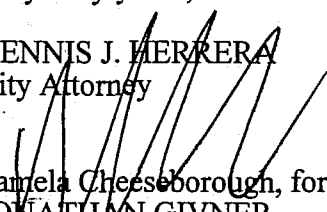
Dear Mr. Madison:

Per your recent communications with Deputy City Attorney Jon Givner, please find enclosed the Subpoena for Mr. Golesorkhi's appearance at the San Francisco Government Audit and Oversight Committee meeting on April 18, 2018 at 10:00 a.m., at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco, California.

Thank you for your cooperation in this regard.

Very truly yours,

DENNIS J. HERRERA
City Attorney


Pamela Cheeseborough, for
JONATHAN GIVNER
Deputy City Attorney

Enclosure

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

SUBPOENA

To: **Ramin Golesorkhi**
C/O Langan
555 Montgomery Street
Suite 1300
San Francisco, CA 94111-2517

Pursuant to Section 16.114 of the San Francisco Charter and California Government Code Sections 25170 and 37104, the San Francisco Board of Supervisors hereby commands you to appear at **10:00 a.m. on April 18, 2018** at the following location:

City Hall
1 Dr. Carlton B. Goodlett Place
Legislative Chamber, Room 250
San Francisco, CA 94102

- To provide oral information and respond to questions regarding your participation in and knowledge regarding the design, geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and 80 Natoma Street in San Francisco; and
- To produce and permit inspection and copying of all documents, records, and other materials in your possession related to those two projects.

If you have any questions regarding compliance with this subpoena, contact:

Angela Calvillo, Clerk of the Board of Supervisors, Tel. (415) 554-5184

Failure to comply with the commands of this subpoena may subject you to enforcement proceedings before the Superior Court of the State of California.

Date: 4/2/18

By: Angela Calvillo
Angela Calvillo, Clerk of the Board



City and County of San Francisco

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

Certified Copy

Motion

180249 [Issuance of Subpoena Duces Tecum - Ramin Golesorkhi]

Sponsor: Peskin

Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Ramin Golesorkhi, requiring him to appear at the Government Audit & Oversight Committee on April 4, 2018, at 10:00 a.m., to provide oral information at the hearing of File No. 160975 and respond to questions regarding the design, geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and 80 Natoma Street; and requiring him to produce documents, correspondence, records, and other materials in his possession related to that project.

3/20/2018 Board of Supervisors - APPROVED

Ayes: 10 - Breed, Cohen, Fewer, Kim, Ronen, Safai, Sheehy, Stefani, Tang and Yee
Excused: 1 - Peskin

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

March 29, 2018

Date

Angela Calvillo
Clerk of the Board

1 [Issuance of Subpoena Duces Tecum - Ramin Golesorkhi]

2
3 **Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces**
4 **tecum to Ramin Golesorkhi, requiring him to appear at the Government Audit &**
5 **Oversight Committee on April 4, 2018, at 10:00 a.m., to provide oral information at the**
6 **hearing of File No. 160975 and respond to questions regarding the design,**
7 **geotechnical analysis, engineering, and peer review for the projects at 301 Mission**
8 **Street and 80 Natoma Street; and requiring him to produce documents,**
9 **correspondence, records, and other materials in his possession related to that project.**

10
11 WHEREAS, News accounts in August 2016 revealed that the high-rise building at 301
12 Mission Street, commonly known as the Millennium Tower, was settling differentially at double
13 the anticipated amount predicted for the entire life of the project, and has sunk a total of 17
14 inches since its 2009 completion; and

15 WHEREAS, Recent legal filings indicate that the 60-story Millennium Tower, which
16 upon its completion in 2009 was the tallest concrete structure on the west coast, as well as
17 the tallest residential building west of Chicago, will tilt another ten inches to the west by 2019;
18 and

19 WHEREAS, A shorter and less heavy project at 80 Natoma Street with a similar mat
20 foundation was ultimately halted as a result of experts' concerns about the structure's
21 performance during a seismic event, according to a legal declaration in October 2004; and

22 WHEREAS, Mr. Golesorkhi previously served as a Principal at the geotechnical firm
23 Treadwell & Rollo from 1995 to 2014 where he led the geotechnical analysis and developed
24 soil reports for both the 301 Mission Street and 80 Natoma Street projects, ultimately
25 concluding that both projects would only sink a few inches over the life of both projects; and

1 WHEREAS, Mr. Golesorkhi's 2001 soil report on 301 Mission Street contained
2 acknowledgements that the Millennium Tower could sink as much as an inch during a seismic
3 event and that the soil underneath its foundation was and is "susceptible to liquefaction;" and

4 WHEREAS, The 301 Mission Street project was known by the geotechnical engineers
5 at Treadwell & Rollo to be a bigger and heavier building with the same foundation on worse
6 soil as the halted 80 Natoma project; and

7 WHEREAS, Supervisor Aaron Peskin, Member of the Government Audit and Oversight
8 Committee, has requested that Mr. Golesorkhi attend a hearing of the Committee to respond
9 to questions regarding his intimate knowledge of the 301 Mission and 80 Natoma Street
10 projects and provide the Committee with relevant records in his possession, but Mr.
11 Golesorkhi has not yet indicated his willingness to participate; and

12 WHEREAS, A draft subpoena requiring Mr. Golesorkhi to attend a hearing of the
13 Committee and to produce documents is on file with the Clerk of the Board of Supervisors in
14 File No. 180249; now, therefore, be it

15 MOVED, That pursuant to its authority under Charter, Section 16.114, and Government
16 Code, Sections 25170 and 37104, the Board of Supervisors hereby directs the Clerk of the
17 Board to issue a subpoena duces tecum in substantially the form and substance of the draft
18 subpoena referenced above, requiring Mr. Golesorkhi to (1) attend the Government Audit and
19 Oversight Committee meeting at 10:00 a.m. on April 4, 2018, to provide oral information and
20 respond to questions regarding his participation in and knowledge regarding the design,
21 geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and
22 80 Natoma Street in San Francisco; and (2) produce and permit inspection and copying of all
23 documents, records, and other materials in his possession related to that project; and, be it
24
25

1 FURTHER MOVED, That the Clerk of the Board of Supervisors, in consultation with the
2 City Attorney, may amend the draft subpoena prior to issuing it, consistent with the direction in
3 this Motion; and, be it

4 FURTHER MOVED, That the Clerk and the Chairperson of the Government Audit and
5 Oversight Committee may in their discretion modify the time and date set forth in the
6 subpoena, and may reissue the subpoena with a modified time and date, in order to
7 accommodate Mr. Golesorkhi's and the Committee's schedules.



City and County of San Francisco

Tails

Motion: M18-036

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

File Number: 180249

Date Passed: March 20, 2018

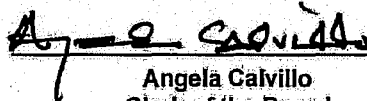
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March 20, 2018 Board of Supervisors - APPROVED

Ayes: 10 - Breed, Cohen, Fewer, Kim, Ronen, Safaj, Sheehy, Stefani, Tang and Yee
Excused: 1 - Peskin

File No. 180249

I hereby certify that the foregoing Motion was APPROVED on 3/20/2018 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board