

1 [Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive \$850,978]

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3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**
4 **Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was**
5 **filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572;**
6 **entitled City and County of San Francisco and the People of the State of California v.**
7 **Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff**
8 **Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the**
9 **City in violation of conflict of interest laws; other material terms of the settlement are**
10 **that Fidelis will pay the settlement amount over 18 months and that the City will return**
11 **hardware purchased from Fidelis within 30 days.**

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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 City and County of San Francisco, et
16 al. v. Fidelis Cybersecurity, Inc., et al., San Francisco Superior Court, Case
17 No. CGC-18-571572, by the payment of \$850,978 over 18 months by Fidelis Cybersecurity,
18 Inc. to the City and by the City's return of hardware purchased from Fidelis Cybersecurity, Inc.
19 The lawsuit involves the sale of products and services to the City by Fidelis in violation of
20 conflict of interest laws.

21 Section 2. The above-named action was filed in San Francisco Superior Court on
22 November 27, 2018, and the following parties were named in the lawsuit: plaintiffs City and
23 County of San Francisco and People of the State of California and defendants Fidelis
24 Cybersecurity Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson;
25 and Does One through Ten.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



JULIE VAN NOSTERN
Chief Attorney, Health and Human Services

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH



DR. GRANT COLFAX
Director of Public Health

APPROVED:



MARK MOREWITZ
Executive Secretary, Health Commission

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City and County of San Francisco
Tails
Ordinance

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

File Number: 190917

Date Passed: November 05, 2019

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days.

October 17, 2019 Government Audit and Oversight Committee - RECOMMENDED

October 29, 2019 Board of Supervisors - PASSED ON FIRST READING


Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani and Yee
Excused: 1 - Walton

November 05, 2019 Board of Supervisors - FINALLY PASSED


Ayes: 9 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton and Yee
Excused: 1 - Brown
Absent: 1 - Safai

File No. 190917

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2019 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor



Date Approved