

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard**
4 **Skaff against the City and County of San Francisco and San Francisco Uptown Parking**
5 **Corporation for \$312,000; further authorizing settlement of San Francisco's cross-**
6 **claims against San Francisco Parking, Inc., d/b/a City Park for \$150,000 to be paid to**
7 **the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union**
8 **Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States**
9 **District Court, Northern District of California; (2) Craig Yates v. Union Square, et al.,**
10 **Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3)**
11 **Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in**
12 **the United States District Court, Northern District of California; and (4) Richard Skaff v.**
13 **Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco**
14 **Superior Court.**

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

17 Section 1. The City Attorney is hereby authorized to settle the actions entitled: (1)
18 Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the
19 United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et
20 al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3)
21 Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the
22 United States District Court, Northern District of California; and (4) Richard Skaff v. Union
23 Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior
24 Court; by the payment of \$312,000 to plaintiffs, and by the concurrent payment of \$150,000
25 from third-party defendant San Francisco Parking, Inc. d/b/a City Park to the City and County

1 of San Francisco. In addition, the City and County of San Francisco will implement certain
2 access improvements in the Union Square Garage and on Union Square Plaza, specifically
3 described in the settlement agreement. A copy of the settlement agreement is contained in
4 Board File No. _____.

5 Section 2. The following parties were named in the lawsuits: Plaintiffs Craig Yates and
6 Richard Skaff; Defendants Union Square, City and County of San Francisco, City of San
7 Francisco Uptown Parking Corporation; Emporio Rulli Il Caffè Union Sq. and Emporio Rulli Il
8 Caffè Union Sq., Inc.; and Third Party Defendants San Francisco Parking, Inc. d/b/a City Park
9 and San Francisco Valet Parking.

10 Section 3. The Board of Supervisors approves and authorizes the City's execution,
11 delivery and performance of the settlement agreement.

12 APPROVED AS TO FORM AND
13 RECOMMENDED:

14 DENNIS J. HERRERA
15 City Attorney

RECOMMENDED:

SAN FRANCISCO RECREATION AND
PARK COMMISSION

16 _____
17 JAMES M. EMERY
18 Chief of Complex Litigation

MARGARET MCARTHUR
Secretary Res. No. _____

19 FUNDS AVAILABLE:

20 _____
21 BEN ROSENFELD
22 Controller

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