

1 Settlement of Lawsuit

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3 **Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for**  
4 **themselves and others similarly situated, against the City and County of San Francisco**  
5 **for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the**  
6 **United States District Court for the Northern District, Case No. C05-1287, entitled**  
7 **Francis Kelly, et al., v. City and County of San Francisco, et al.**

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

9 Section 1. The City Attorney is hereby authorized to settle the action entitled "Francis  
10 Kelly, et al., v. City and County of San Francisco, et al.", United States District Court for the  
11 Northern District, Case No. C05-1287, by payment of \$755,000.00 plus interest accrued from  
12 January 1, 2007 at the annual rate of 4.9%. The principal sum shall be allocated as follows:  
13 a) \$654,000.00 as back wages, less applicable taxes and withholdings; b) \$101,000.00 for  
14 attorneys' fees and costs.

15 Section 3. The above-named action was filed in United States District Court for the  
16 Northern District, on February 25, 2005, Case No. C05-1287. The following parties were  
17 named in the lawsuit: Francis Kelley, Dennis Kruger, Robert P. Anderson, George O.  
18 Bullwinkel, Stephen C. Christensen, Fred J. Fegan, Gerald L. Grey, Thomas E. Kazarian,  
19 Frank M. Kunst, Gary J. Lavaysse, Patrick H. McLaughlin, Daniel M. O' Donnell, Robert G.  
20 Oller, Henry L. Raney, George J. Ripoll, Patricia Caulfield, and Hortence Pucetti and similarly

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1 situated former uniformed members of the San Francisco Fire Department, plaintiffs; City and  
2 County of San Francisco, Edward Harrington, and Philip Ginsburg defendants

3 APPROVED AS TO FORM:  
4 DENNIS J. HERRERA, City Attorney

RECOMMENDED:  
San Francisco Fire Department

5 By: \_\_\_\_\_  
6 ELIZABETH S. SALVESON  
Chief Labor Attorney

By: \_\_\_\_\_  
Joanne Hayes-White  
Chief

7 FUNDS AVAILABLE:  
8 Office of the Controller

San Francisco Fire Commission

9 By: \_\_\_\_\_  
10 EDWARD HARRINGTON  
Controller

By: \_\_\_\_\_  
Secretary

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