

1 [Authorization to make a binding settlement offer.]

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3 **Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to**

4 **California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western**

5 **Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated**

6 **Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San**

7 **Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00;**

8 **and in no event any amount that would create liability to the City pursuant to the Most**

9 **Favored Nations Clause in the General Motors Corporation v. City and County of San**

10 **Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and**

11 **Eastman Kodak Company v. City and County of San Francisco San Francisco Superior**

12 **Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.**

13

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

15 Section 1. The City Attorney is hereby authorized to make an offer to allow judgment

16 pursuant to California Code of Civil Procedure Section 998.

17 Section 2. The City Attorney is hereby authorized to make an offer to allow judgment

18 pursuant to California Code of Civil Procedure Section 998 in an amount not to exceed

19 \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to


20 the Most Favored Nations Clause in the GM cases Settlement Agreements.

21 APPROVED AS TO FORM AND

22 RECOMMENDED:

FUNDS AVAILABLE:

23 DENNIS J. HERRERA, City Attorney

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\_\_\_\_\_  
JULIE VAN NOSTERN  
25 Deputy City Attorney

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\_\_\_\_\_  
EDWARD HARRINGTON  
Controller

Supervisor Gonzalez  
OFFICE OF THE CITY ATTORNEY  
BOARD OF SUPERVISORS



# City and County of San Francisco

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

## Tails Ordinance

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**File Number:** 030481

**Date Passed:**

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

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April 15, 2003 Board of Supervisors — PASSED ON FIRST READING


Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick,  
Newsom, Peskin, Sandoval  
Excused: 1 - Ma

April 22, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,  
Peskin, Sandoval  
Absent: 1 - Ammiano

File No. 030481

I hereby certify that the foregoing Ordinance was FINALLY PASSED on April 22, 2003 by the Board of Supervisors of the City and County of San Francisco.



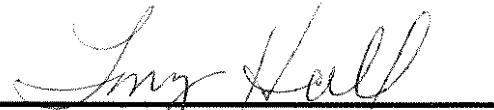
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Gloria L. Young  
Clerk of the Board

MAY 02 2003

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Date Approved



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Mayor Willie L. Brown Jr.