

1 [Partial Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**

4 **Francisco against Aon Risk Services of New York, Inc. for \$220,000; San Francisco's**

5 **causes of action against AON were filed on February 15, 2006, and constitute part of**

6 **the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case**

7 **No: 4422, venued in San Mateo Superior Court; other material terms of said settlement**

8 **are that San Francisco and AON will execute a mutual release, San Francisco will**

9 **execute and file dismissals of all claims with prejudice, San Francisco and AON will**

10 **each bear their own fees and costs of suit, AON will provide reasonable cooperation to**

11 **San Francisco in regards to evidence that San Francisco may need for the case against**

12 **ACMI and its related entities in the on-going litigation, and the settlement does not**

13 **constitute an admission of liability regarding any claim.**

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 settle those causes of action

16 asserted by San Francisco against AON Risk Services of New York, Inc. ("AON") in the

17 coordinated proceeding entitled "Jail No. 3 Replacement Project Cases, San Mateo County,

18 JCCP Case No: 4422" upon the following material terms:

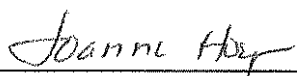
- 19 • AON will pay San Francisco \$220,000;
- 20 • San Francisco and AON will execute a mutual release;
- 21 • San Francisco will execute and file dismissals with prejudice of all claims asserted
- 22 against AON;
- 23 • San Francisco and AON will each bear their own fees and costs of suit;
- 24
- 25

- AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation; and
- The settlement does not constitute an admission of liability regarding any claim.

Section 2. The causes of action being settled are part of a coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court. San Francisco filed its causes of action against AON on February 15, 2006. San Francisco's lawsuit also includes causes of action against the following additional defendants: AMEC Construction Management, Inc. ("ACMI"), AMEC plc, AMEC Inc., Seaboard Surety Company, American Home Assurance Company, Travelers Casualty and Surety Company of America, and St. Paul Fire and Marine Insurance Company. The coordinated proceeding also includes causes of action by ACMI against San Francisco. The causes of action filed by San Francisco against defendants other than AON are not resolved and are not part of this proposed settlement. The causes of action filed by ACMI against San Francisco are not resolved and are not part of this proposed settlement.

APPROVED AS TO FORM AND
RECOMMENDED:


DENNIS J. HERRERA
City Attorney



JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS



Fred V. Abadi, Ph. D.
Director



City and County of San Francisco

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

Tails Ordinance

File Number: 070598

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for \$220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim.

June 5, 2007 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

June 12, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin


Absent: 1 - Sandoval

File No. 070598

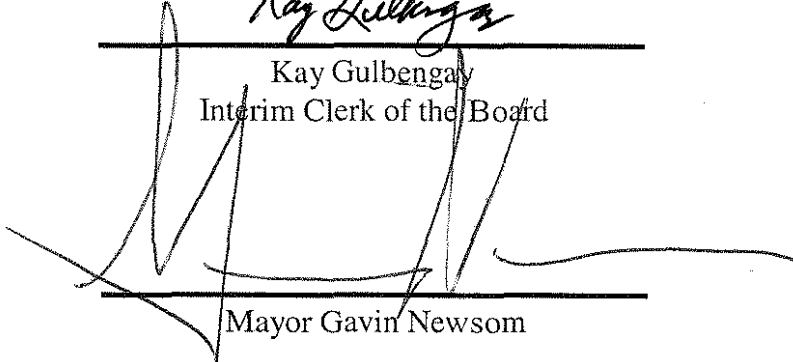
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 12, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

JUN 22 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom