

1 [Settlement of Lawsuit - First Amendment Coalition - \$45,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by First Amendment Coalition,**
4 **Virginia LaRoe, and Eugene Volokh against David Chiu, in his official capacity as City**
5 **Attorney for the City and County of San Francisco for \$45,000 and non-monetary terms;**
6 **the lawsuit was filed on November 22, 2024, in the United States District Court,**
7 **Northern District of California, Case No. 24-cv-08343-RFL; entitled First Amendment**
8 **Coalition et al. v. David Chiu et al.; the lawsuit involves civil enforcement actions**
9 **concerning the publication or dissemination of a sealed arrest record pursuant to**
10 **California Penal Code, Section 861.92(c).**

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

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the claims of First Amendment Coalition, Virginia LaRoe,
15 and Eugene Volokh in the action entitled First Amendment Coalition et al. v. David Chiu et al.,
16 United States District Court, Northern District of California, Case No. 24-cv-08343-RFL on
17 substantially the same terms as set forth in the Settlement Agreement on file with the Clerk of
18 the Board of Supervisors in File No. _____, which is incorporated by reference and
19 declared to be a part of this ordinance as if set forth fully herein. The Settlement Agreement
20 includes the payment of \$75,000 (\$45,000 by Defendant David Chiu and \$30,000 by
21 Defendant California Attorney General Rob Bonta). The lawsuit involves civil enforcement
22 actions concerning the publication or dissemination of a sealed arrest record pursuant to
23 California Penal Code Section 861.92(c).

24 Section 2. The above-named action was filed in the United States District Court,
25 Northern District of California on November 22, 2024, and the following parties were named in

1 the lawsuit: Plaintiffs First Amendment Coalition, Virginia LaRoe, and Eugene Volokh, and
2 Defendants David Chiu, in his official capacity as City Attorney for the City and County of San
3 Francisco and Defendant Rob Bonta, in his official capacity as Attorney General of California.

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6 APPROVED AS TO FORM AND
7 RECOMMENDED:

8 DAVID CHIU
9 City Attorney

RECOMMENDED:
CITY ATTORNEY

10 /s/ Tara M. Steeley
11 TARA M. STEELEY
12 Chief Attorney, Government Litigation

/s/ Yvonne R. Meré
DAVID CHIU
City Attorney

13 FUNDS AVAILABLE:

14 /s/ Michelle Allersma for Greg Wagner
15 GREG WAGNER
16 Controller