1   Settlement of Lawsuit

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3   **Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against**

4   **the City and County of San Francisco and Sheriff's Department for $1,215,837.42; the**

5   **lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No.**

6   **315861, entitled <u>Torey Dylan Lovett v. City and County of San Francisco, et al.</u> This**

7   **case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett.**

8   **The City appealed and the District Court of Appeals affirmed the judgment.**

9

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

11   Section 1. The City Attorney is hereby authorized to settle the action entitled "<u>Torey</u>

12   <u>Dylan Lovett v. City and County of San Francisco, et al.</u>", San Francisco Superior Court, Case

13   No. 315861, by payment of $1,215,837.42. The sum shall be allocated as follows: a)

14    $57,920.05 paid directly to Lovett; b) $250,000 paid to NABCO Assignments, Ltd. to fund the

15   purchase of an annuity for the benefit of Lovett; c) $657,937.37 paid directly to Anton for

16   attorney's fees and costs; and d) $250,000 paid to NABCO Assignments, Ltd. to fund the

17   purchase of an annuity for the benefit of Anton. .

18   Section 2. The City Attorney is authorized to enter into a Non-Qualified Assignment

19   Agreement with NABCO Assignments, Ltd. whereby NABCO will purchase the annuities

20   described in Section 1(b) and 1(d) and assume all obligations and liabilities related to periodic

21   payments to Lovett and Anton.

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1   Section 3. The above-named action was filed in San Francisco Superior Court on

2   October 12, 2000, Case No. 415266. The following parties were named in the lawsuit: City

3   and County of San Francisco and Sheriff's Department, defendants.

4   APPROVED AS TO FORM: RECOMMENDED:
     DENNIS J. HERRERA, City Attorney   Sheriff's Department
5

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7   By: _____   By: _____
         ELIZABETH S. SALVESON   Michael Hennessey
         Chief Labor Attorney   Sheriff
8
     FUNDS AVAILABLE:
9   Office of the Controller

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11   By: _____
         EDWARD HARRINGTON
12   Controller

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