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COMMITTEE/BOARD OF SUPERVISORS

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[Settlement of Lawsuit - David Cheung - \$80,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually and dba Kwok Shing Hong against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.

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

Section 1. The City Attorney is hereby authorized to settle the portion of the action entitled "Jane Martin, et al. v. City and County of San Francisco, et al.," San Francisco Superior Court, Court No. 436930, as it relates only to co-plaintiff David Cheung, individually and dba Kwok Shing Hong, by the payment of \$80,000, representing the claim for diminution of property value, and excluding attorney's fees, costs and interest, which will be addressed in later proceedings.

Section 2. The above-named action was filed in San Francisco Superior Court on January 31, 2005, and the following settling parties were named in the lawsuit: Plaintiff David Cheung, individually and dba Kwok Shing Hong and Defendant City and County of San Francisco.

| APPROVED AS TO FORM AND |) | RECOMMENDED: |
|-----------------------------------|---|-----------------------------|
| RECOMMENDED: DENNIS J. HERRERA | | PUBLIC UTILITIES COMMISSION |
| City Attorney | | |

| See File for Signature | See File for Signature | |
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| JOANNE HOEPER, Chief Trial Deputy | ED HARRINGTON, General Manager | |
| FUNDS AVAILABLE: | APPROVED: | |

| See File for Signature | See File for Signature | 1.0 |
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| BEN ROSENFIELD | Secretary | |
| Controller | Public Utilities Commission | |

OFFICE OF THE CITY ATTORNEY BOARD OF SUPERVISORS