

1 [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 PACIFIC GAS AND ELECTRIC CO., et al. on June 20, 2005, in San**  
5 **Francisco Superior Court, Case No. CGC-05-442416, entitled, CITY AND COUNTY OF**  
6 **SAN FRANCISCO, a municipal corporation v. PACIFIC GAS & ELECTRIC CO., a**  
7 **corporation, STACY AND WITBECK/ESQUIVEL, a joint venture, STACY AND**  
8 **WITBECK, INC., a corporation, ESQUIVEL GRADING AND PAVING, INC., a**  
9 **corporation, BAUMAN LANDSCAPE, INC., a corporation, and DOES 1 to 25,**  
10 **inclusive.**

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

12 Section 1. The City Attorney is hereby authorized to settle the action entitled "City and  
13 County Of San Francisco v. Pacific Gas & Electric Company, et al.," Case No. CGC-05-  
14 442416 by the payment of \$357,036.43 to the City. A copy of the settlement agreement is  
15 contained in Board File No. \_\_\_\_\_. The Board of Supervisors approves and  
16 authorizes the City's execution, delivery and performance of the settlement agreement.

17 Section 2. The above-named lawsuit was filed in San Francisco Superior Court on  
18 June 20, 2005, and the following parties were named in the lawsuit: City and County of San  
19 Francisco, Plaintiff; Pacific Gas and Electric Company, STACY AND WITBECK/ESQUIVEL, a  
20 joint venture, STACY AND WITBECK, INC., a corporation, ESQUIVEL GRADING AND  
21 PAVING, INC., a corporation, BAUMAN LANDSCAPE, INC., Defendants.

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1 Section 3. The Board of Supervisors approves and authorizes the City's execution,  
2 delivery and performance of the settlement agreement.

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APPROVED AS TO FORM AND  
RECOMMENDED:

RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

SAN FRANCISCO FIRE DEPARTMENT

\_\_\_\_\_  
JOANNE HOEPER  
Chief Trial Deputy

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JOANNE HAYES-WHITE, Chief

FUNDS AVAILABLE:

APPROVED:

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EDWARD HARRINGTON  
Controller

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SECRETARY  
Commission for Fire Department