

1 [Settlement of Lawsuit - FlightCar Incorporated - City to Receive \$230,000]

2

3 **Ordinance authorizing settlement of lawsuit filed by the City Attorney on behalf of**
 4 **People of the State of California against FlightCar Incorporated and the Cross-**
 5 **Complaint filed by FlightCar Incorporated against the City and County of San**
 6 **Francisco; for the payment of \$230,000 by FlightCar Incorporated to the City; the**
 7 **underlying lawsuit was filed on May 31, 2013, in San Francisco Superior Court, Case**
 8 **No. CGC-13-531807, entitled People of the State of California v. FlightCar, Inc. and later**
 9 **changed venue to Santa Clara County Superior Court, Case No. 1-13-CV-251634;**
 10 **FlightCar Incorporated’s Cross-Complaint, entitled FlightCar Incorporated v. City and**
 11 **County of San Francisco, with the same case number, was filed on February 4, 2014.**

12

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

14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
 15 authorizes the City Attorney to settle the action and cross-complaint entitled People of the
 16 State of California against FlightCar Incorporated and FlightCar Incorporated v. City and
 17 County of San Francisco, Santa Clara Superior Court, Case No. 1-13-CV-251634 for the
 18 payment of \$230,000 by FlightCar Incorporated to the City and County of San Francisco.
 19 Additional settlement terms include a requirement that FlightCar Incorporated apply for and
 20 secure a permit as an Off-Airport Rental Car Company with San Francisco International
 21 Airport.

22

23 // // //

24

24 // // //

25

1 Section 2. The above-named complaint was filed in San Francisco Superior Court on
2 May 31, 2013 and then changed venue to Santa Clara County Superior Court; the cross-
3 complaint was filed in Santa Clara County Superior Court; the following parties were named in
4 these actions: People of the State of California (Plaintiff), FlightCar Incorporated (Defendant
5 and Cross-Complainant), and City and County of San Francisco (Cross-Defendant). The San
6 Francisco International Airport and John L. Martin were both initially named as Cross-
7 Defendants, but were dismissed by Cross-Complainants.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

YVONNE R. MERÉ
Chief Attorney
Neighborhood and Resident Protection
Division

RECOMMENDED:

San Francisco International Airport

JOHN L. MARTIN
Director of San Francisco International Airport