

1 [Settlement of Lawsuit - UnitedLayer, LLC - \$850,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by UnitedLayer, LLC against the**
4 **City and County of San Francisco, for \$850,000; the lawsuit was filed on September 14,**
5 **2022, in San Francisco Superior Court, Case No. CGC-22-601798, entitled UnitedLayer,**
6 **LLC v. City and County of San Francisco; the lawsuit involves allegations of breach of**
7 **contract arising from disputed additional costs associated with a colocation agreement**
8 **whereby the City received certain data center services; other material terms of the**
9 **settlement are a complete release of claims relating to the colocation agreement.**

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

12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
13 authorizes the City Attorney to settle the action entitled UnitedLayer, LLC v. City and County
14 of San Francisco, San Francisco Superior Court, Case No. CGC-22-601798 by the payment
15 of \$850,000. The lawsuit involves allegations of breach of contract arising from disputed
16 additional costs associated with a colocation agreement whereby the City received certain
17 data center services.

18 Section 2. The above-named action was filed in San Francisco Superior Court on
19 September 14, 2022, and the following parties were named in the lawsuit: plaintiff
20 UnitedLayer, LLC, and defendant City and County of San Francisco.

1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DAVID CHIU
4 City Attorney

RECOMMENDED:
DEPARTMENT OF TECHNOLOGY

5 /s/
6 ELAINE M. O'NEIL
7 Team Leader, Construction and Public
8 Contracting

/s/
MICHAEL MAKSTMAN
Department Head

9 FUNDS AVAILABLE:

10 /s/ Michelle Allersma for Greg Wagner
11 GREG WAGNER
12 Controller