

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of**
4 **San Francisco against George Q. Chen, for a payment to the Airport in the amount of**
5 **\$113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in**
6 **United States Bankruptcy Court for the Northern District of California, Adversary Case**
7 **No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen.**

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

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11 Section 1. The City Attorney is hereby authorized to settle the lawsuit entitled "City and
12 County of San Francisco v. George Q. Chen, United States Bankruptcy Court, Northern
13 District of California, Adversary Case No. 03-3713 DM, in consideration of the payment to the
14 Airport of \$113,800.00, in five installments, and upon other terms as approved by the City
15 Attorney.

16 Section 2. Defendant Chen shall stipulate to entry of judgment in the City's favor in the
17 amount of \$300,000.00 in the event he defaults, after notice and an opportunity to cure, in the
18 performance of the terms of the settlement agreement.

19 Section 3. On July 19, 2005, the Airport Commission approved this proposed
20 settlement in Airport Commission Resolution No. 05-0131, a copy of which is on file with the
21 Board Clerk in File No. 051354.

22 Section 4. The above-named action was filed in United States Bankruptcy Court for
23 the Northern District of California on December 1, 2003; and the following parties were named
24 in the lawsuit: The City and County of San Francisco as plaintiff; and George Q. Chen as
25 defendant.

1 Section 5. Payments obtained from Defendant Chen shall be deposited into the Airport
2 Revenue Fund.

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6 APPROVED AS TO FORM AND
7 RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney

RECOMMENDED:

San Francisco Airport Commission

Resolution No. 05-0131

Adopted: July 19, 2005

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13 JOANNE HOEPER
14 Chief Trial Deputy