

1 [Settlement of Lawsuit.]

2
3 **Ordinance authorizing settlement of plaintiffs' claims in the lawsuits filed by Robert**
4 **Weaver, et al., Michael Moynihan, et al., and Peter A. Green, et al., acting for themselves**
5 **and others similarly situated, against the City and County of San Francisco for**
6 **\$1,291,741.11 plus 7% simple interest from January 4, 2009 to date of payment; the**
7 **lawsuits were filed on: (a) April 14, 2003, in the United States District Court for the**
8 **Northern District of California, Case No. 03-1589 SI, entitled Weaver, et al. v. City and**
9 **County of San Francisco; (b) November 14, 2006 in the United States District Court for**
10 **the Northern District of California, Case No. 06-7071 SI, entitled Moynihan, et al. v. City**
11 **and County of San Francisco; and (c) November 7, 2006 in the United States District**
12 **Court for the Northern District of California, Case No. 06-6953 SI, entitled Green, et al. v.**
13 **City and County of San Francisco.**

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

15 Section 1. The Ciity Attorney is hereby authorized to settle plaintiffs' claims in the
16 actions entitled Weaver, et al. v. City and County of San Francisco; United States District
17 Court for the Northern District of California, Case No. 06-7071 SI, Moynihan, et al. v. City and
18 County of San Francisco; United States District Court for the Northern District of California,
19 Case No. 06-6953 SI, and Green, et al. v. City and County of San Francisco, United States
20 District Court for the Northern District of California, Case No. 06-6953 SI, by the payment of
21 \$1,291,741.11, plus 7% simple interest from January 4, 2009 to the date of payment. The
22 payment shall be allocated as follows: (a) \$735,383.13 as back wages, less applicable taxes;
23 (b) \$281,357.98 plus 7% simple interest on any unpaid settlement amounts from January 4,
24 2009 to date of payment, as interest; and (c) \$275,000.00 for attorneys' fees and costs.

1 Section 2. The above-named actions were filed in the United States District Court for
2 the Northern District of California on April 14, 2003 (Weaver), November 7, 2006 (Green), and
3 November 14, 2006 (Moynihan) and the following parties were named in the lawsuit: Robert
4 Weaver and 168 other similarly situated employees, plaintiffs; and the City and County of San
5 Francisco, defendant.

6

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

RECOMMENDED:
San Francisco Fire Department

9

10 By: _____
11 ELIZABETH S. SALVESON
Chief Labor Attorney

By: _____
JOANNE HAYES-WHITE
Chief of Department

12

13 FUNDS ARE AVAILABLE:
Office of the Controller

San Francisco Fire Commission

14

15 By: _____
16 BENJAMIN ROSENFELD
Controller

By: _____
Secretary

17

18

19

20

21

22

23

24

25