

1 [Settlement of Unlitigated Claim - Covidien Sales LLC - Medtronic to Pay City \$800,000]

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3 **Resolution approving the settlement of the unlitigated claim filed by the City against**
4 **Covidien Sales LLC, a Medtronic Company (Medtronic) for \$800,000 including the**
5 **return of a ventilator fleet at Medtronic’s expense.**

6
7 WHEREAS, The unlitigated claim by the City involves a contract dispute regarding
8 Medtronic’s provision of a ventilator fleet to the Department of Public Health (Department);
9 and

10 WHEREAS, The Department has recommended settlement of the unlitigated claim by
11 payment of \$800,000 from Medtronic to the City, plus the City’s return of the ventilator fleet at
12 Medtronic’s expense; now, therefore, be it

13 RESOLVED, That pursuant to San Francisco Administrative Code, Section 10.24(b)
14 (Claim Over \$25,000, Not Litigated), the Board of Supervisors hereby authorizes the City
15 Attorney to settle the unlitigated claim of the City against Medtronic, by the payment
16 of \$800,000 from Medtronic to the City and the City’s return of the ventilator fleet at
17 Medtronic’s expense, with each party to bear its own legal fees and costs.

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APPROVED:

DENNIS J. HERRERA
City Attorney

/s/
JULIE VAN NOSTERN
Chief Attorney
Health & Human Services

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

/s/
GRANT COLFAX, M.D.
Director of Health
Department of Public Health

FUNDS RECEIVABLE:

/s/
BEN ROSENFELD
Controller

APPROVED:

/s/
MARK MOREWITZ
Secretary, Health Commission

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City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 211026

Date Passed: November 30, 2021

Resolution approving the settlement of the unlitigated claim filed by the City against Covidien Sales LLC, a Medtronic Company (Medtronic) for \$800,000 including the return of a ventilator fleet at Medtronic's expense.

November 18, 2021 Government Audit and Oversight Committee - RECOMMENDED

November 30, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211026

I hereby certify that the foregoing
Resolution was ADOPTED on 11/30/2021 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

12/10/21

Date Approved