

1 [Settlement of Lawsuit - Esther Downes, et al. - \$350,000]

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3 **Ordinance authorizing entry of judgment, pursuant to Federal Rule of Civil Procedure**
4 **68, in favor of Plaintiffs Esther Downes and the Estate of Issiah Downes, and against the**
5 **City and County of San Francisco, in the amount of \$350,000 in settlement of the lawsuit**
6 **filed on October 1, 2010, in United States District Court, Case No. C10-4451 CW entitled**
7 **"Esther Downes, et al. v. City and County of San Francisco, et al."**

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

10 Section 1. The City Attorney is hereby authorized to allow Judgment to be entered,
11 pursuant to Federal Rule of Civil Procedure 68, in favor of Plaintiffs Esther Downes and the
12 Estate of Issiah Downes, and against the City and County of San Francisco, in the action
13 entitled "Esther Downes, et al. v. City and County of San Francisco, et al.", United States
14 District Court, Case No. C10-4451 CW in the amount of \$350,000.

15 Section 2. The above-named action was filed in United States District Court, Northern
16 District of California on October 1, 2010, and the following parties were named in the lawsuit:

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1 Plaintiffs Esther Downes and Estate of Issiah Downes; Defendants City and County of San
2 Francisco, Sheriff Michael Hennessey, Jan Dempsey, Johna Pecot, John Garcia, John Casey,
3 Matthew Wong, Tonyette Smith-Al Ghani, Juan Guitron, Edward Gutierrez, Mel Song,
4 Kenneth Lomba, Dan White, Kevin Macksoud, Paula Avery and Emmanuel Bulatao.

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6 APPROVED AS TO FORM AND
7 RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney

RECOMMENDED:

SAN FRANCISCO SHERIFF DEPARTMENT

10 _____
11 JOANNE HOEPER
Chief Trial Deputy

MICHAEL HENNESSEY
Sheriff

12 FUNDS AVAILABLE:

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15 BEN ROSENFELD
16 Controller
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