

1 [Settlement of Lawsuit - New Cingular Wireless PCS LLC - \$463,593]

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3 **Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS**  
4 **LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on**  
5 **December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled**  
6 **New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit**  
7 **involves a claim for refund of penalties and interest related to the access line tax for**  
8 **tax periods February 1, 2021, through and including August 31, 2021.**

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

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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 *New Cingular Wireless PCS LLC v.*  
14 *City and County of San Francisco et al.*, San Francisco Superior Court, Case No.  
15 CGC-22-603406 by the payment of \$463,593. The lawsuit involves a claim for refund of  
16 penalties and interest related to the access line tax for tax periods February 1, 2021, through  
17 and including August 31, 2021.

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19 Section 2. The above-named action was filed in San Francisco Superior Court on  
20 December 12, 2022, and the following parties were named in the lawsuit: Plaintiff New  
21 Cingular Wireless PCS LLC, and defendants City and County of San Francisco, José  
22 Cisneros, Treasurer of the City and County of San Francisco, David Augustine, Tax Collector  
23 of the City and County of San Francisco, and Does 1 through 50.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DAVID CHIU  
City Attorney

/s/ Scott M. Reiber  
SCOTT M. REIBER  
Chief Tax Attorney

RECOMMENDED:

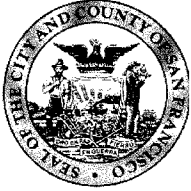
Office of the Treasurer and Tax Collector

/s/  
JOSE CISNEROS  
Treasurer

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield  
BEN ROSENFELD  
Controller

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**City and County of San Francisco**  
**Tails**  
**Ordinance**

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

**File Number:** 230400

**Date Passed:** June 27, 2023

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of penalties and interest related to the access line tax for tax periods February 1, 2021, through and including August 31, 2021.

June 01, 2023 Government Audit and Oversight Committee - RECOMMENDED

June 13, 2023 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton


June 27, 2023 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230400

**I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/27/2023 by the Board of Supervisors of the City and County of San Francisco.**

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
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London N. Breed  
Mayor

7/6/23  
\_\_\_\_\_  
Date Approved