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| , | | Board Item No. | | |

COMMITTEE/BOARD OF SUPERVISORS

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| Completed by: Alisa Miller Date Februa Completed by: Date | | | ary 28, 2014 | | |

[Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4 LLC - \$512,581.50]

Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4 LLC against the City and County of San Francisco for \$512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4 LLC v. City and County of San Francisco.

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

Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the action entitled <u>BRE/GLEN Portfolio Mezz 4 LLC v.</u>

<u>City and County of San Francisco</u>, San Francisco Superior Court, Case No. CGC-13-530011 by the payment of \$512,581.50.

Section 2. The above-named action was filed in San Francisco Superior Court on March 26, 2013, and the following parties were named in the lawsuit: plaintiff BRE/GLEN Portfolio Mezz 4 LLC and defendant City and County of San Francisco.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA City Attorney

JULIE VAN NOSTERN Chief Tax Deputy

FUNDS AVAILABLE:

BEN ROSENFIELD Controller

Index Code: 975031
Sub Object: 05311

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RECOMMENDED:

ASSESSOR -RECORDER'S OFFICE

CARMEN CHU Assessor-Recorder

LEGISLATION RECEIVED CHECKLIS. File Number (if applicable) Legislation for Introduction (NEW) ►►► Legislation Clerk Legislation Pending in Committee (AMENDED) ► Committee Clerk Legislation for Board Agenda (AMENDED) ▶ ▶ ▶ Dep Clerk, Legislative Div Supervisor, Mayor, and Departmental Submittals **Grant Ordinance** [] Legislation: Original and 2 hard copies and 1 electronic copy in word format [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller [] Back-up materials: 2 full sets (see below) and 1 electronic copy in pdf format* [] Cover letter (original and 1 hard copy) [] Grant budget/application [] Grant information form, including disability checklist [] Letter of Intent or grant award letter from funding agency [] Contract, Leases/Agreements (if applicable) [] Ethics Form 126 (if applicable)*Word format [] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org Ordinance Legislation: Original and 2 hard copies and 1 electronic copy in word format Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary) [Back-up materials: 2 hard copies (see below) and 1 electronic copy in pdf format Cover letter (original and 1 hard copy) [] Settlement Report/Agreement (for settlements) Other (Explain) TE-Copy of legislation/back-up materials: Sent to BOS, Legislation@sfgov.org **Grant Resolution** [] Legislation: Original and 2 hard copies and 1 electronic copy in word format Department Head, Mayor or the Mayor's designee, plus the Controller [] Back-up materials: 2 hard copies (see below) and 1 electronic copy in pdf format* [] Cover letter (original and 1 hard copy) [] Grant budget/application [] Grant information form, including disability checklist [] Letter of Intent or grant award letter from funding agency [] Contract, Leases/Agreements (if applicable) [] Ethics Form 126 (if applicable)*Word format [] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org Resolution [] Legislation: Original and 2 hard copies and 1 electronic copy in word format [] Signature: None (Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary) [] Back-up materials: 2 full sets (see below) and 1 electronic copy in pdf format

[] Cover letter (original and 1 hard copy)

[] Settlement Report/Agreement (for settlements)

[] Other (Explain)

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

ShonaNavarrc

554-3889

CITY ATTORNEY

Name and Telephone Number

Department