

1 [Settlement of Lawsuits - Justice Operating Co. LLC, and Justice Investors LP, Kearny Street
2 Employers LLC - \$1,450,000]

3 **Ordinance authorizing settlement of two lawsuits filed by Justice Investors LP, Kearny**
4 **Street Employers LLC, and Justice Operating Co. LLC, against the City and County of**
5 **San Francisco for \$1,450,000; the first lawsuit was filed on July 16, 2015, in San**
6 **Francisco Superior Court, Case No. CGC-15-546897; entitled Justice Investors LP,**
7 **Justice Operating Co. LLC v. City and County of San Francisco; the second lawsuit**
8 **was filed on October 19, 2015, in San Francisco Superior Court, Case No. CPF-15-**
9 **514532; entitled Justice Investors LP, Kearny Street Employers LLC v. City and County**
10 **of San Francisco; these are suits for refund of Real Property Transfer Tax, Transient**
11 **Occupancy Tax and Tourism Improvement District Fees; other material term of said**
12 **settlement is San Francisco's dismissal of its cross-complaint in Case No. CPF-15-**
13 **514532.**

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

16 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
17 authorizes the City Attorney to settle the actions entitled Justice Investors LP, Justice
18 Operating Co. LLC v. City and County of San Francisco, San Francisco Superior Court Case
19 No. CGC-15-546897, and Justice Investors LP, Kearny Street Employers LLC v. City and
20 County of San Francisco, San Francisco Superior Court Case No. CPF-15-514532, by the
21 payment of \$1,450,000 and San Francisco's dismissal of its cross-complaint in Case No.
22 CPF-15-514532. These are suits for refund of Real Property Transfer Tax, Transient
23 Occupancy Tax and Tourism Improvement District Fees.

24 Section 2. The above-named actions were filed in San Francisco Superior Court on
25 July 16, 2015 and October 19, 2015, respectively, and the following parties were named in the

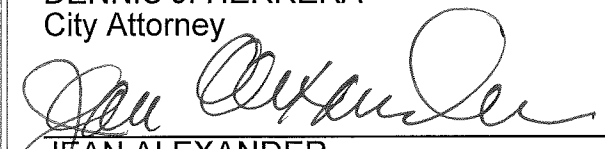
1 lawsuits: as plaintiffs, Justice Investors LP, Justice Operating Co. LLC, Kearny Street
2 Employers LLC; as defendant, City and County of San Francisco; as cross-complainant, City
3 and County of San Francisco; and as cross-defendants, Kearny Street Employers LLC and
4 Geoffrey Palermo, an individual.

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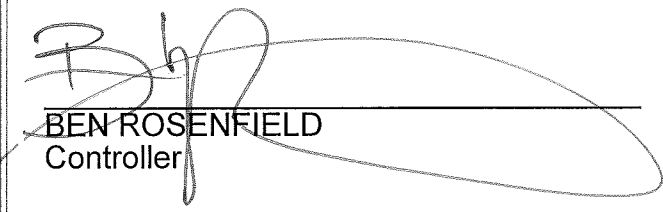
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



JEAN ALEXANDER
Chief Tax Attorney

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

RECOMMENDED:

OFFICE OF THE ASSESSOR-RECORDER



CARMEN CHU
Assessor-Recorder

OFFICE OF THE TREASURER-TAX
COLLECTOR



JOSÉ CISNEROS
Treasurer-Tax Collector

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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: 160576

Date Passed: July 12, 2016

Ordinance authorizing settlement of two lawsuits filed by Justice Investors LP, Kearny Street Employers LLC, and Justice Operating Co. LLC, against the City and County of San Francisco for \$1,450,000; the first lawsuit was filed on July 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546897; entitled Justice Investors LP, Justice Operating Co. LLC v. City and County of San Francisco; the second lawsuit was filed on October 19, 2015, in San Francisco Superior Court, Case No. CPF-15-514532; entitled Justice Investors LP, Kearny Street Employers LLC v. City and County of San Francisco; these are suits for refund of Real Property Transfer Tax, Transient Occupancy Tax and Tourism Improvement District Fees; other material term of said settlement is San Francisco's dismissal of its cross-complaint in Case No. CPF-15-514532.

June 16, 2016 Government Audit and Oversight Committee - RECOMMENDED..

June 28, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee


July 12, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee

Absent: 1 - Mar

File No. 160576

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/12/2016 by the Board of Supervisors of the City and County of San Francisco.


for Angela Calvillo
Clerk of the Board


Mayor

7/20/16
Date Approved