

1 [Settlement of Lawsuit - Luyen Phan and Gai Thi Phan Nguyen - \$2,875,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Luyen Phan and Gai Thi Phan**
4 **Nguyen against the City and County of San Francisco for \$2,875,000; the lawsuit was**
5 **filed on May 23, 2016, in San Francisco Superior Court, Case No. CGC-16-552178;**
6 **entitled Luyen Phan, et al. v. City and County of San Francisco, et al.; the lawsuit**
7 **involves wrongful death of plaintiffs' daughter.**

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

10 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Luyen Phan, et al. v. City and County
12 of San Francisco, et al., San Francisco Superior Court, Case No. CGC-16-552178 by the
13 payment of \$2,875,000. The lawsuit involves wrongful death of plaintiffs' daughter.

14 Section 2. The above-named action was filed in San Francisco Superior Court on May
15 23, 2016, and the following parties were named in the lawsuit: plaintiffs: Luyen Phan and Gai
16 Thi Phan; defendants: City and County of San Francisco and James Harris.

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APPROVED AS TO FORM AND
RECOMMENDED:

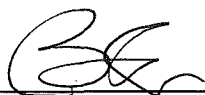
DENNIS J. HERRERA
City Attorney



CHERYL ADAMS
Chief Trial Deputy

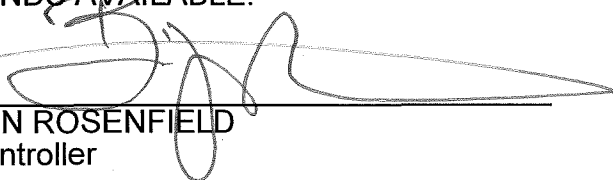
RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH



BARBARA A. GARCIA
Director

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

APPROVED:



MARK MOREWITZ
Secretary, HEALTH COMMISSION

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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: 170121

Date Passed: March 07, 2017

Ordinance authorizing settlement of the lawsuit filed by Luyen Phan and Gai Thi Phan Nguyen against the City and County of San Francisco for \$2,875,000; the lawsuit was filed on May 23, 2016, in San Francisco Superior Court, Case No. CGC-16-552178; entitled Luyen Phan, et al. v. City and County of San Francisco, et al.; the lawsuit involves wrongful death of plaintiffs' daughter.

February 16, 2017 Government Audit and Oversight Committee - RECOMMENDED..

February 28, 2017 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

March 07, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy, Tang and Yee
Excused: 1 - Kim

File No. 170121

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/7/2017 by the Board of Supervisors of the City and County of San Francisco.

Signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Signature of Marko Cohen
Mayor

3/17/2017
Date Approved