

1 [Closed Session - Existing Litigation - American Beverage Association, California Retailers
2 Association, and California State Outdoor Advertising Association]

3 **Motion that the Board of Supervisors convene in closed session on October 24, 2017,**
4 **pursuant to California Government Code, Section 54956.9(a), and San Francisco**
5 **Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or**
6 **receiving advice from, the City Attorney regarding the existing litigation in which the**
7 **City is a defendant and appellee, American Beverage Association, California Retailers**
8 **Association, and California State Outdoor Advertising Association v. City and County**
9 **of San Francisco, Ninth Circuit Court of Appeals Case Nos. 16-16072 and 16-16073,**
10 **filed in the United States District Court for the Northern District of California on July 24,**
11 **2015.**

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13 WHEREAS, The City and County of San Francisco is a defendant and appellee in
14 American Beverage Association, California Retailers Association, and California State
15 Outdoor Advertising Association v. City and County of San Francisco (Ninth Circuit Court of
16 Appeal Case Nos. 16-16072 and 16-16073, filed in the United States District Court for the
17 Northern District of California on July 24, 2015); and

18 WHEREAS, California Government Code, Section 54956.9(a) and San Francisco
19 Administrative Code, Section 67.10(d)(1) allow the Board of Supervisors to convene in closed
20 session to confer with or receive advice from legal counsel regarding existing litigation; now,
21 therefore, be it

22 MOVED, That the Board of Supervisors convene in closed session on October 24,
23 2017, with the City Attorney's Office for the purpose of conferring with, or receiving advice
24 from, the City Attorney regarding this existing litigation.