File No.	180027

Committee Item No.	12	
Board Item No.		

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Government Audit and Oversight	<u>t</u> 1	Date:	December 7, 2017
Board of Sup	pervisors Meeting:	I	Date:	
Cmte Board	G	Report	t	ort
OTHER				
Prepared by: Prepared by:		Date:	Decer	mber 2, 2017

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[Settlement of Lawsuit - David Zeller (Deceased) - \$290,000]

Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City and County of San Francisco for \$290,000; the lawsuit was filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled <u>David Zeller v. San Francisco General Hospital, et al.</u>; the lawsuit involves alleged medical malpractice; other terms of the settlement are UC Regents to pay \$200,245 and upon approval by the probate court and Plaintiff's acceptance of the probate court's allocation of funds, California Department of Health Care Services to disgorge \$65,300 paid for MediCal lien to be paid to plaintiff.

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>David Zeller v. San Francisco General Hospital</u>, et al., San Francisco Superior, Case No. CGC-13-529554 by the payment of \$290,000 and UC Regents to pay \$200,245 and upon approval by the probate court and Plaintiff's acceptance of the probate court's allocation of funds, California Department of Health Care Services to disgorge \$65,300 paid for MediCal lien to be paid to plaintiff. The lawsuit involves alleged medical malpractice.

Section 2. The above-named action was filed in San Francisco Superior Court on March 14, 2013, and the following parties were named in the lawsuit: Plaintiffs: David Zeller, Michael T. McCowan, as Personal Representative of the Estate of David Zeller, Deceased; Defendants: City and County of San Francisco and Regents of the University of California.

1 APPROVED AS TO FORM AND **RECOMMENDED:** RECOMMENDED: 2 DEPARTMENT OF PUBLIC HEALTH **DENNIS J. HERRERA** 3 City Attorney 4 Cheryl Adams
Chief Trial Attorney BARBARA A. GARCIA 5 Director APPROVED: FUNDS AVAILAB 6 7 8 BEN ROSENFIELD MARK MOREWITZ Secretary, Health Commission Controller 9 10 n:\lit\li2015\130977\01210467.doc 11 12 13 14 15 16 17 18 19 20 21

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LEGISLATION RECEIVED CHECKLIST
Date File Number (if applicable)
Legislation for Introduction (NEW) [] Legislation Pending in Committee (AMENDED) [] Legislation for Board Agenda (AMENDED) ► Legislative Clerk ► Deputy Clerk
Supervisor, Mayor, and Departmental Submittals
[] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format. [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controlled. [] Supporting documents: 1 full set, and separate pdf copies of each in email [] Cover letter (original) [] Grant budget/application [] Grant information form, including signed disability checklist [] Letter of Intent or grant award letter from funding agency [] Contract, Leases/Agreements (if applicable) [] Ethics Form 126 (if applicable) in Word format [] Other support documents as identified in the cover letter and legislation. [] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org
Legislation: Original, 1 hard copy, and 1 electronic copy in Word format F Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary) Supporting documents: 1 full set, and separate pdf copies of each in email Cover letter (original) Settlement Report/Agreement (for settlements) [] Other support documents as identified in the cover letter and legislation E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org Grant Resolution [] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller [] Supporting documents: 1 full set, and separate pdf copies of each in email [] Cover letter (original) [] Grant budget/application [] Grant information form, including signed disability checklist [] Letter of Intent or grant award letter from funding agency [] Contract, Leases/Agreements (if applicable) [] Ethics Form 126 (if applicable) in Word format [] Other support documents as identified in the cover letter and legislation [] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org
Resolution [] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format [] Signature: None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary) [] Supporting documents: 1 full set, and separate pdf copies of each in email [] Cover letter (original) [] Settlement Report/Agreement (for settlements) [] Other support documents as identified in the cover letter and legislation [] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org
Toy Reez 554-3869 City Albunus

Name and Telephone Number

Department

Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook

Name and Telephone Number