

1 [Settlement of Lawsuit - Nicole Moss - \$300,000]

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3 **Ordinance authorizing settlement of the lawsuits filed by Nicole Moss against the City**
4 **and County of San Francisco for \$300,000; the lawsuits were filed on February 10, 2016,**
5 **in United States District Court, Case No. 16-CV-00072-KAW; entitled Arthur Moss and**
6 **Dakehia Hall as Administrators of the Estate of Nicole Moss v. San Francisco General**
7 **Hospital and Trauma Center, et al.; Case No. 16-CV-00657-YGR; entitled Arthur Moss**
8 **and Dakehia Hall as Administrators of the Estate of Nicole Moss v. Kindred Healthcare**
9 **Operating, Inc., et al.; the lawsuits involve alleged disability access and civil rights**
10 **violations; other material terms of the settlement are Kindred Healthcare Operating,**
11 **Inc. to pay \$200,000.**

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

14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
15 authorizes the City Attorney to settle the actions entitled Arthur Moss and Hall as
16 Administrators of the Estate of Nicole Moss v. San Francisco General Hospital and Trauma
17 Center, et al., United States District Court, Case No. 16-CV-00072-KAW and Arthur Moss and
18 Dakehia Hall as Administrators of the Estate of Nicole Moss v. Kindred Healthcare Operating,
19 Inc., et al., United States District Court, Case No. 16-CV-00657-YGR by the payment of
20 \$300,000 and Kindred Healthcare Operating, Inc. to pay \$200,000. The lawsuits involve
21 alleged disability access and civil rights violations at Zuckerberg San Francisco General
22 Hospital and Trauma Center.

23 Section 2. The above-named action was filed in United States District Court on
24 February 10, 2016, and the following parties were named in the lawsuit: Arthur Moss and
25 Dakehia Hall as Administrators of the Estate of Nicole Moss, Plaintiffs; Kindred Healthcare

1 Operating, Inc.; THC-Orange, County, Inc., dba Kindred Hospital-San Francisco Bay Area;
2 Ventas Realty, L.P.; San Francisco General Hospital and Trauma Center; City and County of
3 San Francisco; and Does 1-20, Inclusive, Defendants.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

CHERYL ADAMS
Chief Trial Deputy

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

BARBARA A. GARCIA
Director

APPROVED:

MARK MOREWITZ
Commission Secretary

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