

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of**
4 **San Francisco against Pacific Bell Telephone Company and SBC Communications,**
5 **Inc., and a related law suit filed by Pacific Bell Telephone Company against**
6 **San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a**
7 **payment to the Department of Administrative Services of 20% of Pacific Bell's revenues**
8 **from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and**
9 **2004, and on certain other terms; and approving the settlement agreement; the lawsuits**
10 **were filed on December 19, 2002 and December 20, 2002, in San Francisco County**
11 **Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and**
12 **County of San Francisco v. Pacific Bell Telephone Company and SBC**
13 **Communications, Inc., and Pacific Bell Telephone Company v. City and County of**
14 **San Francisco.**

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

17 Section 1. The City Attorney is hereby authorized to settle the lawsuits entitled "City
18 and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications,
19 Inc., San Francisco County Superior Court, Case No. 415-918; and Pacific Telephone
20 Company v. City and County of San Francisco, San Francisco County Superior Court, Case
21 No. 415-996, in consideration of the payment to the Airport of \$4,057,204.26, and the
22 payment to the San Francisco Department of Administrative Services of 20% of Pacific Bell's
23 revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and
24 2004, and certain other terms specified in the Settlement Agreement on file with the Board
25 Clerk in File No. _____ ("the Settlement Agreement"), which is hereby approved.

1 Section 2. The above-named actions were filed in San Francisco County Superior
2 Court on December 19, 2002 and December 20, 2002, respectively; and the following parties
3 were named in the lawsuit: The City and County of San Francisco as plaintiff in case No. 415-
4 918 and defendant in case No. 415-996; Pacific Bell Telephone Company as defendant in
5 case No. 415-918 and plaintiff in case No. 415-996; and SBC Communications Inc. as
6 defendant in case No. 415-918.

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9 APPROVED AS TO FORM AND
RECOMMENDED:

10 DENNIS J. HERRERA
11 City Attorney

RECOMMENDED:

San Francisco Airport Commission

By: _____

John L. Martin
Airport Director

Resolution No. _____

Adopted: February 17, 2004

Attest: _____

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14 _____
15 JOANNE HOEPER
Chief Trial Deputy

Secretary
Airport Commission