

1 [Settlement of Lawsuit - Verizon Wireless and AT&T Mobility - City to Receive \$2,161,773]

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3 **Ordinance authorizing settlement of the lawsuit filed on behalf of the State of**
4 **California, the City and County of San Francisco, and 189 other California**
5 **governmental entities against Verizon Wireless for \$839,356 and against AT&T Mobility**
6 **National Accounts LLC for \$1,322,417 for a total settlement of \$2,161,773; the lawsuit**
7 **was filed on July 5, 2012, in Sacramento County Superior Court, Case**
8 **No. 34-2012-00127517; entitled State of California et al., ex rel. OnTheGo Wireless , LLC**
9 **v. Verizon Wireless and AT&T Mobility National Accounts LLC; the lawsuit involves**
10 **alleged violations of the California False Claims Act.**

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

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14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
15 authorizes the City Attorney to settle the action entitled State of California et al., ex rel.
16 OnTheGo Wireless, LLC v. Verizon Wireless and AT&T Mobility National Accounts LLC,
17 Sacramento County Superior Court, Case No. 34-2012-00127517, by the payment
18 of \$839,356 by Verizon Wireless and \$1,322,417 by AT&T Mobility National Accounts LLC, for
19 a total settlement payment to the City and County of San Francisco of \$2,161,773. The
20 lawsuit involves allegations that Verizon Wireless and AT&T Mobility National Accounts LLC
21 failed to optimize cell phone plans as required by their contracts, and therefore overcharged
22 San Francisco and all of the other public entities in violation of the California False Claims Act.

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23 Section 2. The above-named action was filed in Sacramento County Superior Court on
24 July 5, 2012, and the following parties were named in the lawsuit: The State of California, the
25 City and County of San Francisco, and 189 other California government entities, as plaintiffs;

1 OnTheGo Wireless, LLC, as qui tam plaintiff; and Verizon Wireless and AT&T Mobility
2 National Accounts LLC, as defendants.

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4 APPROVED AS TO FORM AND
5 RECOMMENDED:

RECOMMENDED:

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6 DENNIS J. HERRERA
7 City Attorney

Department of Technology

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8 /s/ Theresa L. Mueller
9 THERESA L. MUELLER
10 Chief Energy and Telecommunications
11 Deputy

8 /s/ Linda Gerull
9 LINDA GERULL
10 Executive Director and Chief Information
11 Officer

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