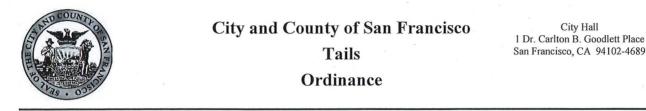
- [Settlement of Lawsuit Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen -\$30,000]
- 3

4	Ordinance authorizing settlement of the lawsuit filed by Jose Poot, Kishawn Norbert,		
5	Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail		
6	Brackens, Delon Barker, Javonn Allen against the City and County of San Francisco		
7	for \$30,000; the lawsuit was filed on May 20, 2019, in United States District Court –		
8	Northern District of California, Case No. 19-cv-02722; entitled <u>Jose Poot, Kishawn</u>		
9	Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler,		
10	Montrail Brackens, Delon Barker, Javonn Allen v. San Francisco County Sheriff's		
11	<u>Department, et al.;</u> the lawsuit involves claims that the sleep schedule and frequent		
12	sleep disruptions at County Jails 4 and 5 created unconstitutional conditions of		
13	confinement for the inmates; other material terms of the settlement are that the court		
14	approve the settlement.		
15			
16	Be it ordained by the People of the City and County of San Francisco:		
17	Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby		
18	authorizes the City Attorney to settle the action entitled Jose Poot, Kishawn Norbert, Kenyon		
19	Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon		
20	Barker, Javonn Allen v. San Francisco County Sheriff's Department, et al., United States		
21	Districts Court – Northern District of California, Case No. 19-cv-02722 by the payment of		
22	\$30,000. The lawsuit involves claims that the sleep schedule and frequent sleep disruptions		
23	at County Jails 4 and 5 created unconstitutional conditions of confinement for the inmates;		
24	other material terms of the settlement are that the court approve the settlement.		
25			

1	Section 2. The above-named action was filed in United States District Court – Northern		
2	District of California on May 20, 2019, and the following parties were named in the lawsuit:		
3	Plaintiffs: Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine		
4	DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen; Defendants: San		
5	Francisco County Sheriff's Department, City and County of San Francisco, Vicki Hennessy,		
6	Paul Miyamoto, Jason Jackson, Kevin McConnell.		
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1	APPROVED AS TO FORM AND RECOMMENDED:	RECOMMENDED:
2		
3	DENNIS J. HERRERA City Attorney	SAN FRANCISCO SHERIFF DEPARTMENT
4	<u>/s/ Meredith B. Osborn</u> MEREDITH B. OSBORN	/s/ PAUL MIYAMOTO
5	Chief Trial Deputy	Sheriff
6	FUNDS AVAILABLE:	
7	/o/ Michalla Allerama far Dan Daganfield	
8	<u>/s/ Michelle Allersma for Ben Rosenfield</u> BEN ROSENFIELD Controller	
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File Number: 210160

Date Passed: April 13, 2021

Ordinance authorizing settlement of the lawsuit filed by Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen against the City and County of San Francisco for \$30,000; the lawsuit was filed on May 20, 2019, in United States District Court - Northern District of California, Case No. 19-cv-02722; entitled Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen v. San Francisco County Sheriff's Department, et al.; the lawsuit involves claims that the sleep schedule and frequent sleep disruptions at County Jails 4 and 5 created unconstitutional conditions of confinement for the inmates; other material terms of the settlement are that the court approve the settlement.

March 18, 2021 Government Audit and Oversight Committee - RECOMMENDED

April 06, 2021 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

April 13, 2021 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Stefani and Walton Noes: 2 - Ronen and Safai

File No. 210160

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/13/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

London N. Breed Mayor

4.23.21

**Date Approved**