

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard**

4 **Skaff against the City and County of San Francisco and San Francisco Uptown Parking**

5 **Corporation for \$312,000; further authorizing settlement of San Francisco's cross-**

6 **claims against San Francisco Parking, Inc., d/b/a City Park for \$150,000 to be paid to**

7 **the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union**

8 **Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States**

9 **District Court, Northern District of California; (2) Craig Yates v. Union Square, et al.,**

10 **Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3)**

11 **Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in**

12 **the United States District Court, Northern District of California; and (4) Richard Skaff v.**

13 **Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco**

14 **Superior Court**

15

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 actions entitled: (1)

18 Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the

19 United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et

20 al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3)

21 Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the

22 United States District Court, Northern District of California; and (4) Richard Skaff v. Union

23 Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior

24 Court; by the payment of \$312,000 to plaintiffs, and by the concurrent payment of \$150,000

25 from third-party defendant San Francisco Parking, Inc. d/b/a City Park to the City and County

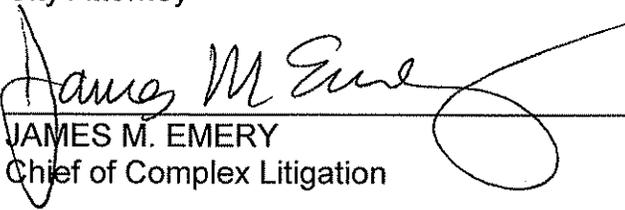
1 of San Francisco. In addition, the City and County of San Francisco will implement certain  
2 access improvements in the Union Square Garage and on Union Square Plaza, specifically  
3 described in the settlement agreement. A copy of the settlement agreement is contained in  
4 Board File No. 090811.

5 Section 2. The following parties were named in the lawsuits: Plaintiffs Craig Yates and  
6 Richard Skaff; Defendants Union Square, City and County of San Francisco, City of San  
7 Francisco Uptown Parking Corporation; Emporio Rulli II Caffe Union Sq. and Emporio Rulli II  
8 Caffe Union Sq., Inc.; and Third Party Defendants San Francisco Parking, Inc. d/b/a City Park  
9 and San Francisco Valet Parking.

10 Section 3. The Board of Supervisors approves and authorizes the City's execution,  
11 delivery and performance of the settlement agreement.

12 APPROVED AS TO FORM AND  
13 RECOMMENDED:

14 DENNIS J. HERRERA  
15 City Attorney

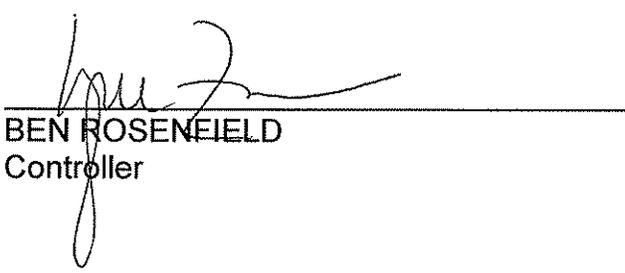
16   
17 JAMES M. EMERY  
18 Chief of Complex Litigation

RECOMMENDED:

SAN FRANCISCO RECREATION AND  
PARK COMMISSION

19   
20 MARGARET MCARTHUR  
21 Secretary Res. No 0906-013

22 FUNDS AVAILABLE:

23   
24 BEN ROSENFELD  
25 Controller



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

**File Number:** 090811

**Date Passed:**

Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard Skaff against the City and County of San Francisco and San Francisco Uptown Parking Corporation for \$312,000; further authorizing settlement of San Francisco's cross-claims against San Francisco Parking, Inc., d/b/a City Park for \$150,000 to be paid to the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3) Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the United States District Court, Northern District of California; and (4) Richard Skaff v. Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior Court.

July 14, 2009 Board of Supervisors — PASSED, ON FIRST READING

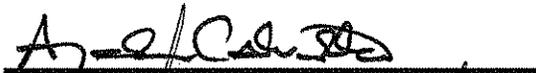
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

July 21, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090811

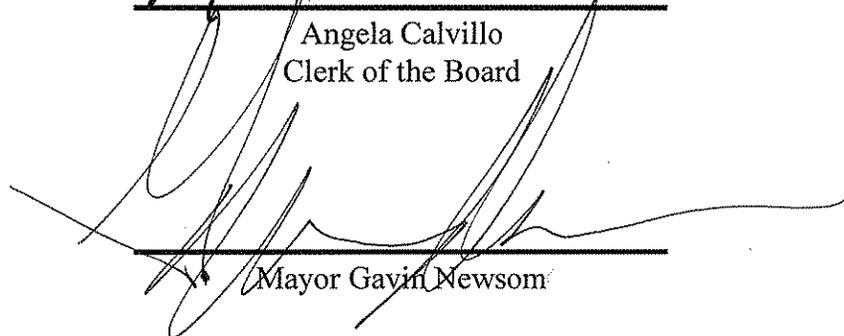
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on July 21, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo  
Clerk of the Board

7/27/09

Date Approved



Mayor Gavin Newsom