

[Settlement of Lawsuit - Damian Fleming - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco.

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

Section 1. The City Attorney is hereby authorized to settle the action entitled Fleming v. City and County of San Francisco, San Francisco Superior Court of California, Case No. CGC 10-501543, by the payment of \$70,000.00, and the City's agreement that plaintiff Damian Fleming will earn a Step 5 salary in his gardener (3417) position at the Department of Public Works, as well as pursuant to the other terms as set forth in the Settlement Agreement.

Section 2. The above-named action was filed in San Francisco Superior Court of California on July 14, 2010, and the following parties were named in the lawsuit: Damian Fleming, plaintiff; City and County of San Francisco, and Does 1 through 10, inclusive, defendants.

APPROVED AS TO FORM AND RECOMMENDED:

RECOMMENDED:

DENNIS J. HERRERA
City Attorney

COMMISSION SECRETARY

See File for Signature
ELIZABETH S. SALVESON
Chief Labor Attorney

See File for Signature
MARGARET A. McARTHUR
Commission Secretary, Rec & Park Dept.

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FUNDS AVAILABLE:

See File for Signature
BEN ROSENFELD
Controller

RECOMMENDED:

See File for Signature
PHILIP GINSBURG
Director, Rec & Park Dept.



City and County of San Francisco
Tails
Ordinance

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

File Number: 111099

Date Passed: November 08, 2011

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October 20, 2011 Rules Committee - RECOMMENDED..


November 01, 2011 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener


November 08, 2011 Board of Supervisors - FINALLY PASSED

File No. 111099

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/8/2011 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor Edwin Lee



Date Approved