

1 [Authorization to make a binding settlement offer.]

2

3 **Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to**

4 **California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western**

5 **Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated**

6 **Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San**

7 **Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00;**

8 **and in no event any amount that would create liability to the City pursuant to the Most**

9 **Favored Nations Clause in the General Motors Corporation v. City and County of San**

10 **Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and**

11 **Eastman Kodak Company v. City and County of San Francisco San Francisco Superior**

12 **Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.**

13

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

15 Section 1. The City Attorney is hereby authorized to make an offer to allow judgment

16 pursuant to California Code of Civil Procedure Section 998.

17 Section 2. The City Attorney is hereby authorized to make an offer to allow judgment

18 pursuant to California Code of Civil Procedure Section 998 in an amount not to exceed

19 \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to


20 the Most Favored Nations Clause in the GM cases Settlement Agreements.

21 APPROVED AS TO FORM AND

22 RECOMMENDED:

FUNDS AVAILABLE:

23 DENNIS J. HERRERA, City Attorney

24 

JULIE VAN NOSTERN
Deputy City Attorney

25 

EDWARD HARRINGTON
Controller

Supervisor Gonzalez
OFFICE OF THE CITY ATTORNEY
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails Ordinance

File Number: 030481

Date Passed:

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

April 15, 2003 Board of Supervisors — PASSED ON FIRST READING


Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval
Excused: 1 - Ma

April 22, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 030481

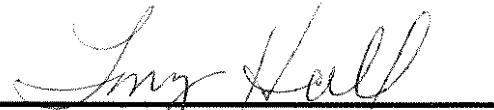
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 22, 2003 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 02 2003

Date Approved



Mayor Willie L. Brown Jr.