

1 [Settlement of Lawsuit - United Airlines, Inc. - City to Receive \$165,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**
4 **Francisco against United Airlines, Inc. for \$165,000; the lawsuit was filed on August 2,**
5 **2016, in San Mateo County Superior Court, Case No. 16CIV00748, entitled City and**
6 **County of San Francisco v. United Airlines, Inc., and removed to the United States**
7 **District Court for the Northern District of California on September 13, 2016, Case No.**
8 **3:16-cv-05234-MEJ; the lawsuit involves claims against United Airlines, Inc. for**
9 **negligence and breach of contract for causing damage to City-owned computer**
10 **equipment; other material terms of the settlement are each side to bear its own fees**
11 **and costs, the City will dismiss its complaint with prejudice, and the parties will enter**
12 **into mutual releases.**

13
14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
16 authorizes the City Attorney to settle the action entitled City and County of San Francisco v.
17 United Airlines, Inc., United States District Court, Northern District of California, Case No.
18 3:16-cv-05234-MEJ, by the payment of \$165,000 by United Airlines, Inc. and each side to
19 bear its own fees and costs, the City to dismiss its complaint with prejudice, and the parties to
20 enter into mutual releases. The lawsuit involves claims against United for negligence and
21 breach of contract for causing damaged to City-owned computer equipment.

22 Section 2. The above-named action was filed in San Mateo County Superior Court on
23 August 2, 2016 and then removed to the United States District Court for the Northern District
24 of California on September 13, 2016, and the following parties were named in the lawsuit:
25 City and County of San Francisco, plaintiff, and United Airlines, Inc., defendant.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



SHERYL L. BREGMAN
Airport General Counsel

RECOMMENDED:

AIRPORT COMMISSION



IVAR C. SATERO
Airport Director

APPROVED:



JEAN CARAMATTI
Secretary, Airport Commission

n:\constr\li2017\150880\01192805.docx



City and County of San Francisco
Tails
Ordinance

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

File Number: 170645

Date Passed: July 11, 2017

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against United Airlines, Inc. for \$165,000; the lawsuit was filed on August 2, 2016, in San Mateo County Superior Court, Case No. 16CIV00748, entitled City and County of San Francisco v. United Airlines, Inc., and removed to the United States District Court for the Northern District of California on September 13, 2016, Case No. 3:16-cv-05234-MEJ; the lawsuit involves claims against United Airlines, Inc. for negligence and breach of contract for causing damage to City-owned computer equipment; other material terms of the settlement are each side to bear its own fees and costs, the City will dismiss its complaint with prejudice, and the parties will enter into mutual releases.

June 21, 2017 Government Audit and Oversight Committee - RECOMMENDED

June 27, 2017 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

July 11, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170645

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/11/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

7/21/17

Date Approved