

1 [Settlement of Lawsuit - Sam Percival Stewart - \$150,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Sam Percival Stewart against**
4 **the City and County of San Francisco for \$150,000; the lawsuit was filed on**
5 **June 2, 2016, in San Francisco Superior Court, Case No. CGC-16-552341; entitled Sam**
6 **Percival Stewart v. City and County of San Francisco et al., removed to federal court on**
7 **November 22, 2016, and re-captioned as Sam Percival Stewart v. City and County of**
8 **San Francisco et al., United States District Court, Case No. 3:16-cv-6744; the lawsuit**
9 **involves an alleged civil rights violation; other material terms of the settlement are**
10 **waiver of the Zuckerberg San Francisco General Hospital lien in the amount of \$735.**

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

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled Sam Percival Stewart v. City and
15 County of San Francisco et al., United States District Court, Case No. 3:16-cv-6744 by the
16 payment of \$150,000 and waiver of the Zuckerberg San Francisco General Hospital lien in the
17 amount of \$735. The lawsuit involves an alleged civil rights violation.

18 Section 2. The above-named action was filed in Superior Court of the City and County
19 of San Francisco on June 2, 2016, initially entitled Sam Percival Stewart v. City and County of
20 San Francisco, et al., San Francisco Superior Court CGC-16-552341 and removed to the
21 United States District Court on November 22, 2016, and re-captioned as Sam Percival
22 Stewart v. City and County of San Francisco et al., and the following parties were named in
23 the lawsuit: Plaintiff: Sam Percival Stewart; Defendants: City and County of San Francisco,
24 Thomas E. Mora, James Miller and Yasar Shah.

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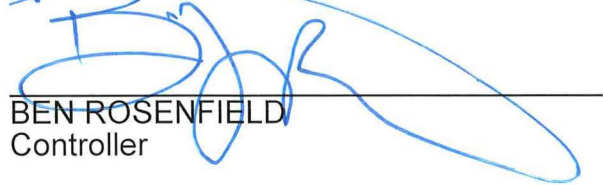
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



CHERYL ADAMS
Chief Trial Deputy

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT



WILLIAM SCOTT
Chief

APPROVED:



RACHEL KILSHAW
Secretary, San Francisco Police Department

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City and County of San Francisco
Tails
Ordinance

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

File Number: 180820

Date Passed: October 02, 2018

Ordinance authorizing settlement of the lawsuit filed by Sam Percival Stewart against the City and County of San Francisco for \$150,000; the lawsuit was filed on June 2, 2016, in San Francisco Superior Court, Case No. CGC-16-552341; entitled Sam Percival Stewart v. City and County of San Francisco et al., removed to federal court on November 22, 2016, and re-captioned as Sam Percival Stewart v. City and County of San Francisco et al., United States District Court, Case No. 3:16-cv-6744; the lawsuit involves an alleged civil rights violation; other material terms of the settlement are waiver of the Zuckerberg San Francisco General Hospital lien in the amount of \$735.

September 19, 2018 Government Audit and Oversight Committee - RECOMMENDED

September 25, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani and Tang
Excused: 1 - Yee

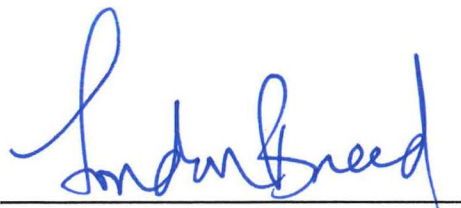
October 02, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

File No. 180820

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 10/2/2018 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

10/12/18
Date Approved