

RESOLUTION NUMBER R- 306857

DATE OF FINAL PASSAGE JUN 22 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
SEAN M. CURRY ENTERPRISES DBA MASSAGE ENVY  
AND THE CITY OF SAN DIEGO

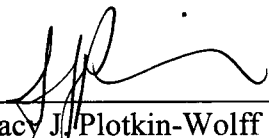
WHEREAS, Sean M. Curry Enterprises dba Massage Envy filed a claim with the City of San Diego (City) for damage to its property caused by a water main break at Carmel Mountain Road and Torrey View Court. The water main break caused flooding damage to its property, City of San Diego Risk Management Department Claim number 3312; and

WHEREAS, in Closed Session on April 18, 1011, the City Council, by the following votes: Yeas, District(s) 1, 3, 5, 6, 7, and absent, District(s) 2, 4, 8, approved settlement of the claim for an amount consistent with the amounts set forth below; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$60,406.50 to be paid from the Water Utility Operating Fund, Fund 700011, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the subrogation claim.
2. The Comptroller to issue a check in the amount of \$60,406.50 payable to Sean M. Curry Enterprises dba Massage Envy and its attorneys, Ericsson Law Group.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Stacy J. Plotkin-Wolff  
Deputy City Attorney

SJP: bas  
05/11/2011  
Or.Dept:City Atty

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 14 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6-22-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor