

CITY AND COUNTY OF SAN FRANCISCO

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July 15, 2010

The Honorable Claudia Wilken
United States District Court
Courtroom 2, 4th Floor
1301 Clay Street
Oakland, CA 94612-5212

Re: Therese Marie Pizzo v. CCSF, Mayor Gavin Newsom, et al.
United States District Court Case No. C09-4493 CW

Dear Judge Wilken:

I write to inform you that, despite the indication of my signature, I did not give my consent to Plaintiff to file the Stipulation of the Parties to Set Aside Order earlier today. Plaintiff's counsel, Gary Gorski, indicated in an email sent just prior to filing—but that I did not receive until afterward—that he assumed I would consent based on earlier communications, and he was concerned about getting the document to the Court as quickly as possible.

While Mr. Gorski's decision to represent that I had authorized the stipulation may have been well-intentioned, that makes it no less improper. I did not have the opportunity to review the final draft, and I would have requested some modifications if I had. It is not up to Mr. Gorski to make legal decisions for the City and County of San Francisco.

The City asks that you disregard its purported consent to the stipulation as unauthorized.

Very truly yours,

DENNIS J. HERRERA
City Attorney

s/Sherri Sokeland Kaiser

Sherri Sokeland Kaiser
Deputy City Attorney

cc: Gary Gorski, Esq.
Geoffrey Graybill, Esq.