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1	DENNIS J. HERRERA, State Bar #139669 City Attorney		
2	CHERYL ADAMS, State Bar #164194 Chief Trial Attorney JAMES HANNAWALT, State Bar #139657 Deputy City Attorney		
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6	Facsimile: (415) 554-3837 E-Mail: james.hannawalt@sfgov.org		
7	L-Man. james.namawan@sigov.org		
8	CITY AND COUNTY OF SAN FRANCISCO,		
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13	MICHAEL WAYNE GARNER,	Case No. 14-CV-5172-EDL	
14	Plaintiff,	STIPULATION REGARDING CCSF COLLECTION OF SFGH BILLS RELATED	
15	VS.	TO TREATMENT OF PLAINTIFF'S 11/27/2013 INJURY; [PROPOSED] ORDER	
16	CITY AND COUNTY OF SAN FRANCISCO; SAN FRANCISCO POLICE	INJUNI, [I KOI OBED] OKDEK	
17	DEPARTMENT; GREGORY P. SUHR, in his capacity as Chief of Police of the San		
18	Francisco Police Department; JARED P. HARRIS, individually and in his capacity as a		
19	Police Officer for the San Francisco Police		
20	Department; Officer SADIKI #803, individually and in his capacity as a Police		
21	Officer for the San Francisco Police Department, and Does 1 through 200,		
22	Defendants.		
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24			
25	WHEREAS, the City and County of San	Francisco has made a charitable write-off of all	
26	charges for goods and services provided by the City and County of San Francisco at San Francisco		
27	General Hospital in connection with the treatment of Michael Garner for injuries Michael Garner		
28	sustained on November 27, 2013; and		
	STIP. & PROPOSED ORDER RE. ECONOMIC DAMAGES	1 c:\users\jfc\documents\garner case\garner case stipulation re	

FOR SFGH TREATMENT CASE NO. 14-CV-5172-EDL

WHEREAS the Court has granted Defendants' Motion in Limine 1, ordering that Plaintiff cannot present as an element of economic damages in the trial of this matter the cost of goods and/or services provided by the City and County of San Francisco at San Francisco General Hospital in connection with the treatment of Michael Garner for injuries Michael Garner sustained on November 27, 2013;

IT IS STIPULATED BY AND BETWEEN THE PARTIES to this action, through their respective counsel, that the City and County of San Francisco will not directly or indirectly assert at any time in the future the right to payment for the goods and services provided by the City and County of San Francisco at San Francisco General Hospital in connection with the treatment of Michael Garner for injuries Michael Garner sustained on November 27, 2013. Nor will the City and County of San Francisco seek recovery of any City or County tax against Mr. Garner in connection with the treatment of Michael Garner for injuries Michael Garner sustained on November 27, 2013. This stipulation does not address any other debts or obligations plaintiff Michael Garner may have with regard to the City and County of San Francisco.

Further, as this stipulation is being entered only as a result of the Court's ruling against Plaintiff regarding what the Plaintiff respectfully believes to be an erroneous misinterpretation of the "Collateral Source Rule," it is understood and agreed by the Parties and the Court that this stipulation in no way waives Plaintiff's right to appeal the Court's ruling on Defendant's Motion in Limine 1.

IT IS SO STIPULATED.

Dated: July 15, 2016

DENNIS J. HERRERA City Attorney CHERYL ADAMS Chief Trial Deputy JAMES HANNAWALT Deputy City Attorney

By: /s/ James Hannawalt
JAMES HANNAWALT
Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO,
OFFICER JARED P. HARRIS,

1	Dated: July 25, 2016
2	Law Offices of James F. Costello
3	By: /s/ James F. Costello
4	JAMES F. COSTELLO Attorney for Plaintiff MICHAEL GARNER
5	Attorney for Plaintiff MICHAEL GARNER
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[PROPOSED] ORDER

Based on the above stipulation, and for good cause appearing, the Court orders as follows:

City and County of San Francisco may not directly or indirectly assert at any time in the future the right to payment for the goods and services provided by the City and County of San Francisco at San Francisco General Hospital in connection with the treatment of Michael Garner for injuries Michael Garner sustained on November 27, 2013. This order does not address any other debts or obligations Michael Garner may have with regard to the City and County of San Francisco. The court will retain jurisdiction to enforce this order. Further, this Order will in no way be construed to limit Plaintiff's right to appeal with respect to this Court's ruling on Defendant's Motion in Limine 1, relating to the so called "Collateral Source Rule."

Hon. Magistrate Judge Elizabeth D. L

United States Magistrate Judge

IT IS SO ORDERED

14 Dated: July 26, 2016