

SETTLEMENT AGREEMENT

The parties to this Settlement Agreement are Californians Aware and the San Diego County Board of Supervisors ("County").

WHEREAS, Californians Aware filed a lawsuit against the County (Superior Court Case 37-2012-00091034-CU-WM-CTL) on January 20, 2012 (the "Lawsuit"). The Lawsuit challenged the validity of the County Board of Supervisors action on December 7, 2011 with respect to the Red Tape Reduction Task Force Report and Recommendations (Agenda Item 3). On February 7, 2012 (Agenda Item 8), the Board of Supervisors vacated the challenged action, and placed the Red Tape Reduction Task Force Report and Recommendations on the February 29, 2012 agenda for additional public testimony.


The parties now wish to resolve the Lawsuit on the terms stated in this Settlement Agreement. This Agreement, and its performance, does not constitute and will not be construed as an admission by any party of the truth of any contested matter, or of any liability, wrongful act, or omission.

THEREFORE, the parties agree as follows:

1. The County will pay to the Law Offices of Kelly A. Aviles the sum of \$10,000.00, for attorney fees and costs incurred in the Lawsuit, within 7 business days of execution of this Agreement.
2. Within 7 business days of execution of this agreement, Californians Aware will file a request for dismissal of the Lawsuit with prejudice.
3. Californians Aware and the County release each other, their agents and successors in interest, from all claims relating to or arising out of the Lawsuit, and the challenged action taken by the Board of Supervisors on December 7, 2011.

DATED: 2/10/2012

CALIFORNIANS AWARE

By: 
EMILY FRANCKE, EXECUTIVE DIRECTOR

DATED:

SAN DIEGO COUNTY BOARD OF SUPERVISORS

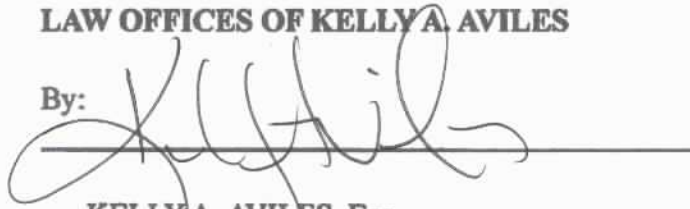
By: _____
C. ELLEN PILSECKER, Chief Deputy
Attorneys for San Diego County Board of Supervisors

APPROVED AS TO FORM:

DATED:

LAW OFFICES OF KELLY A. AVILES

By:

A handwritten signature in black ink, appearing to read 'Kelly A. Aviles', is written over a solid horizontal line. The signature is fluid and cursive.

KELLY A. AVILES, Esq.
Attorney for Californians Aware