

SETTLEMENT AGREEMENT AND RELEASE

The People of the State of California, by and through San Francisco City Attorney Dennis J. Herrera ("the People") and Moore Curran, Inc. aka Caffe Museo ("Caffe Museo"), do hereby enter into this Settlement Agreement and Release (the "Agreement"), with reference to the following facts:

Recitals

A. In 2010 and 2011, Caffe Museo charged its customers a Health Care Surcharge.

B. In 2013, Caffe Museo cooperated fully with the City Attorney Office's efforts to ascertain how much of the money Caffe Museo collected from this surcharge was actually spent on health care for its employees. The parties determined that Caffe Museo received more money from imposition of the Health Care Surcharge in 2010 and 2011 than it spent on health care for Covered Employees during those years.

WHEREFORE, in consideration of the promises, covenants, representations and warranties contained herein, and for good and valuable consideration given hereunder, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Effective Date

The effective date of this Agreement will be the date the Agreement is signed by all parties if on the same day or if on different dates then the last day signed by a party.

2. Definitions

All references to years shall mean the relevant calendar year(s).

"Agreement" shall mean this Settlement Agreement and Release.

"Caffe Museo" shall mean Moore Curran, Inc. aka Caffe Museo and each of its current, former and future persons, officers, subsidiaries, divisions, subdivisions, departments, or other organizational units of any kind doing business under their own name or doing business under any other name, any entity now or in the past controlled by, controlling, or under common control with any of the foregoing.

"Claimant" shall mean employees that were employed by Caffe Museo in 2011.

"Covered Employee" shall have the definition set forth in Section 14.53(C) of the ECSI.

"ECSI" shall mean the San Francisco Health Care Security Ordinance, codified at San Francisco Administrative Code, Chapter 14.