

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 2, 2001

**Committee
Report No.**

01-32

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on February 15, 2001, makes reference to County Communication No. 99-18, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee notes that County Communication No. 99-18 was referred to the prior Council's Committee of the Whole at the Council meeting of January 11, 1999.

At its meeting of November 14, 2000, the Committee recommended that County Communication No. 99-18 be referred to the Council Chair for the term beginning January 2, 2001, for a recommendation as to referral or other disposition.

At its meeting of January 12, 2001, the Council referred County Communication No. 99-18 to your Committee of the Whole (County Communication No. 01-15).

By letter dated February 6, 2001, Deputy Corporation Counsel Judith M. E. Williams requested the opportunity to discuss Alice Prito v. County of Maui, Case No. AB99-618 (M) in executive session for the purpose of settlement authorization. A copy of the Complaint in the aforementioned case was attached to Ms. William's letter. Also attached to the aforementioned letter was a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF ALICE PRITO V. COUNTY OF MAUI, CASE NO. AB99-618 (M)". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the claim.

Your Committee notes that the claim alleges a worker's compensation injury.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 2, 2001
Page 2

Committee
Report No. 01-32

At its meeting, your Committee met with the Corporation Counsel, a Deputy Corporation Counsel, the Risk Manager and the Director of Parks and Recreation.

Your Committee was briefly apprised of the Plaintiff's claims and voted to convene in executive session for the purpose of consulting with legal counsel on liability issues in the matter, pursuant to Section 92-5(a)(4), Hawai'i Revised Statutes.

Your Committee met in executive session with the Corporation Counsel, a Deputy Corporation Counsel, the Risk Manager and the Director of Parks and Recreation.

Following the executive session, your Committee reconvened in regular session. Based on the information received and the recommendation of the Department of the Corporation Counsel, your Committee voted to recommend approval of a proposed settlement of the claim under the terms proposed in executive session.

Your Committee of the Whole **RECOMMENDS** that Resolution No. _____, attached hereto, entitled "APPROVING A PROPOSED SETTLEMENT OF ALICE PRITO V. COUNTY OF MAUI, CASE NO. AB99-618 (M)" be **ADOPTED**.

Adoption of this report is respectfully requested.

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COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

March 2, 2001
Page 3

Committee
Report No. 01-32

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