

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

May 18, 2001

**Committee  
Report No.**

01-83

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 May 1, 2001, makes reference to County Communication No. 01-91, from the Council Chair, regarding proposed contracts for special counsel.

Your Committee is in receipt of a letter dated April 23, 2001, the Corporation Counsel requested consideration of an amendment to the contract for outside counsel Robbins & Rhodes for O'Connor, et al. v. County of Maui, et al., Civil No. 94-0544 (1). Attached to the request was a copy of the complaint and a proposed resolution entitled, "APPROVING AMENDMENT TO CONTRACT NO. C1059 FOR SPECIAL COUNSEL ROBBINS & RHODES". The purpose of the proposed resolution is to authorize \$75,000 in additional compensation for a total of up to \$200,000 for Robbins & Rhodes as special counsel in the Bryan O'Connor, et al. v. County of Maui, et al. case.

Your Committee notes that this is a beach liability case.

At its meeting, your Committee met with the Corporation Counsel; two Deputy Corporation Counsel; and William Ota, Esq. of Robbins & Rhodes.

There being no public testimony, the Corporation Counsel provided a brief overview of the case and requested the opportunity to discuss the matter in an executive meeting.

Your Committee voted to convene an executive meeting for the purpose of consulting with legal counsel on liability issues in the matter, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes.

At its executive meeting, your Committee met with the Corporation Counsel; a Deputy Corporation Counsel; and William Ota, Esq. of Robbins & Rhodes.

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

May 18, 2001  
Page 2

**Committee**  
**Report No.** 01-83

Following the executive meeting, 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 adoption of the proposed resolution.

Your Committee of the Whole RECOMMENDS that Resolution No. \_\_\_\_\_, entitled "APPROVING AMENDMENT TO CONTRACT NO. C1059 FOR SPECIAL COUNSEL ROBBINS & RHODES" be ADOPTED.

Adoption of this report is respectfully requested.

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COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

May 18, 2001  
Page 3

Committee  
Report No. 01-83

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