

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

June 1, 2001

**Committee
Report No.**

01-96

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 15, 2001, makes reference to County Communication No. 01-90, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee is in receipt of a letter dated May 7, 2001, from Deputy Corporation Counsel Judith M. E. Williams, requesting consideration of the possible settlement of Alannah Pascua's Claim No. 99-110. Attached to the request was a copy of the claim and related documents. Also attached to the request was a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF CLAIM NO. 99-110, CLAIM OF ALANNAH PASCUA". 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 damages due to personal injury.

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

There being no public testimony, Deputy Corporation Counsel Judith M. E. Williams 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.

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At its executive meeting, your Committee met with the Director of Parks and Recreation; the Risk Manager, Department of Finance; the Corporation Counsel; the First Deputy Corporation Counsel; and two Deputy Corporation Counsel. Based on the information received and the recommendation of the Department of the Corporation Counsel, your Committee voted on the matter.

Following the executive meeting, your Committee reconvened in regular session and announced the result of the vote taken in the executive meeting. Your Committee announced that it had agreed to recommend adoption of the proposed resolution to approve the settlement of the matter under the terms proposed in the executive meeting.

Your Committee of the Whole **RECOMMENDS** that Resolution No. _____, attached hereto, entitled "APPROVING A PROPOSED SETTLEMENT OF CLAIM NO. 99-110, CLAIM OF ALANNAH PASCUA", be **ADOPTED**.

Adoption of this report is respectfully requested.

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