

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

August 21, 2001

**Committee
Report No.**

01-140

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 July 31, 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 correspondence dated July 12, 2001, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Guy Souza, Sr. v. York International Company, et al., Civil No. 00-1-0314 (1). Attached to the request was a copy of the complaint and a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF CIVIL NO. 00-1-0314 (1) GUY SOUZA, SR., VS. YORK INTERNATIONAL COMPANY, ET AL.". 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 personal injury due to a slip and fall incident.

At its meeting, your Committee met with a Police Captain and two Deputy Corporation Counsel.

There being no public testimony, the Chair of your Committee provided a brief overview of the case and noted the Department of the Corporation Counsel's written request 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 a Police Captain and two Deputy Corporation Counsel.

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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 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 CIVIL NO. 00-1-0314 (1) GUY SOUZA, SR., VS. YORK INTERNATIONAL COMPANY, ET AL." be ADOPTED.

Adoption of this report is respectfully requested.

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