

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

October 19, 2001

**Committee  
Report No.**

01-190

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 October 2, 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 correspondence dated September 19, 2001, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL MICHAEL N. TANOUE, ESQ. IN BARTON J. ADAMS V. RICHARD SCHWAB, ET AL., CIVIL NO. 97-01549 SPK, FOR A TOTAL COMPENSATION LIMIT OF \$20,000". The purpose of the proposed resolution is to authorize \$10,000 in additional compensation for Michael N. Tanoue, Esq. as special counsel in the Adams case.

Your Committee notes that this case includes allegations of malicious prosecution.

Your Committee further notes that the Council authorized special counsel in this matter by Resolution No. 01-57.

At its meeting, your Committee met with the First Deputy Prosecuting Attorney, a Deputy Corporation Counsel, and Michael N. Tanoue, Esq. of the Pacific Law Group.

There being no public testimony, your Committee proceeded to discuss the matter in regular session. The Deputy Corporation Counsel provided a brief overview of the case. He indicated that the Federal court has granted the plaintiff a time extension in order to submit a memorandum in opposition to the County's motion for summary judgment.

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

October 19, 2001  
Page 2

**Committee**  
**Report No.**     01-190

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, authorizing \$10,000 in additional compensation for Michael N. Tanoue, Esq. as special counsel, for a total compensation limit of \$20,000.

Your Committee of the Whole RECOMMENDS that Resolution No. \_\_\_\_\_, attached hereto, entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL MICHAEL N. TANOUE, ESQ. IN BARTON J. ADAMS V. RICHARD SCHWAB, ET AL., CIVIL NO. 97-01549 SPK, FOR A TOTAL COMPENSATION LIMIT OF \$20,000" be ADOPTED.

Adoption of this report is respectfully requested.

cow:cr:0146(8)ad:rkk

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

October 19, 2001  
Page 3

Committee  
Report No. 01-190

---

**DAIN P. KANE** Chair

---

**PATRICK S. KAWANO** Member

---

**G. RIKI HOKAMA** Vice-Chair

---

**MICHAEL J. MOLINA** Member

---

**ALAN M. ARAKAWA** Member

---

**WAYNE K. NISHIKI** Member

---

**ROBERT CARROLL** Member

---

**CHARMAINE TAVARES** Member

---

**JO ANNE JOHNSON** Member