

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

October 19, 2007

**Committee
Report No.**

07-115

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

Chair and Members:

Your Policy Committee, having met on October 2, 2007, makes reference to County Communication No. 07-11, from the Council Chair, regarding the settlement of claims and lawsuits.

By correspondence dated September 11, 2007, the Department of the Corporation Counsel requested consideration of the possible settlement of Lisa Louis v. County of Maui, Department of Police, Case Nos. 7-01-03652 and 7-04-00050. Attached to the request is a proposed resolution entitled "AUTHORIZING SETTLEMENT OF LISA LOUIS VS. COUNTY OF MAUI, DEPARTMENT OF POLICE, CASE NOS. 7-01-03652 AND 7-04-00050". The purpose of the proposed resolution is to authorize settlement of the cases.

Your Committee notes that the complaint alleges work-related injuries sustained on October 4, 2001 and January 1, 2004.

At its meeting, your Committee met with two Deputy Corporation Counsel and the Chief of Police.

There was no public testimony.

A Deputy Corporation Counsel provided a brief overview of the workers compensation 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 Sections 92-5(a)(4), and 92-5(a)(8), Hawaii Revised Statutes.

At its executive meeting, your Committee met with two Deputy Corporation Counsel and the Chief of Police.

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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 authorize the settlement of the matter under the terms proposed in the executive meeting.

Your Policy Committee RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING SETTLEMENT OF LISA LOUIS VS. COUNTY OF MAUI, DEPARTMENT OF POLICE, CASE NOS. 7-01-03652 AND 7-04-00050" be ADOPTED.

Adoption of this report is respectfully requested.

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Resolution

No. _____

AUTHORIZING SETTLEMENT OF LISA LOUIS VS.
COUNTY OF MAUI, DEPARTMENT OF POLICE,
CASE NOS. 7-01-03652 AND 7-04-00050

WHEREAS, Lisa Louis filed Workers' Compensation Claims alleging work-related injuries sustained on October 4, 2001 and January 1, 2004; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of the proposed settlement by the Department of the Corporation Counsel, the Council wishes to authorize the settlement of the Workers' Compensation Claims under the terms and conditions as proposed in an executive meeting before the Policy Committee; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the settlement of Lisa Louis vs. County of Maui, Department of Police, Case Nos. 7-01-03652 and 7-04-00050 under the terms set forth in an executive meeting before the Policy Committee; and

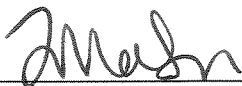
2. That the Director of Finance is authorized to execute a Stipulated Compromise and Release Agreement on behalf of the County in this case; and

3. That payment is authorized to satisfy this settlement following approval of the Stipulated Compromise and Release Agreement by the Department of Labor; and

Resolution No. _____

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Chief of Police, the Director of Personnel Services, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



LAUREEN L. MARTIN
Deputy Corporation Counsel
County of Maui

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