

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

August 14, 2006

**Committee  
Report No.**

\_\_\_\_\_ 06-85

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 18, 2006, makes reference to County Communication No. 05-24, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee is in receipt of correspondence dated May 31, 2006, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Valerie Gregory, et al. v. County of Maui, et al., Civil No. 04-00516 SPK KSC. Attached to the request is a copy of the Second Amended Complaint and Summons, a copy of the Notice of Filing Verified Petition for Removal, a copy of the Order Granting Defendants' Motion for Summary Judgment, and a proposed resolution entitled "AUTHORIZING SETTLEMENT OF VALERIE GREGORY, ET AL. VS. COUNTY OF MAUI, ET AL., CIVIL NO. 04-00516 SPK KSC". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case.

Your Committee notes that the complaint alleges general and special damages arising from the death of Richard J. Gregory.

Your Committee further notes that the prior Council authorized initial settlement of this matter by Resolution No. 04-148.

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

There was no public testimony. A Deputy 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.

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

August 14, 2006  
Page 2

**Committee**  
**Report No.**      06-85

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

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 Committee of the Whole RECOMMENDS that Resolution No. \_\_\_\_\_, attached hereto, entitled "AUTHORIZING SETTLEMENT OF VALERIE GREGORY, ET AL. VS. COUNTY OF MAUI, ET AL., CIVIL NO. 04-00516 SPK KSC" be ADOPTED.

Adoption of this report is respectfully requested.

cow:cr:0601(35)aa:rkk

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

August 14, 2006  
Page 3

Committee  
Report No. 06-85

---

MICHAEL J. MOLINA Chair

---

JO ANNE JOHNSON Member

---

DAIN P. KANE Vice-Chair

---

DANNY A. MATEO Member

---

MICHELLE ANDERSON Member

---

JOSEPH PONTANILLA Member

---

ROBERT CARROLL Member

---

CHARMAINE TAVARES Member

---

G. RIKI HOKAMA Member