

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 18, 2003

Committee
Report No. 03-58

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 June 30, 2003, makes reference to County Communication No. 03-19, from the Council Chair, regarding the settlement of claims and lawsuits.

Your Committee is in receipt of correspondence dated March 17, 2003, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Ray Shimizu v. County of Maui, Case No. 7-01-03899. Attached to the request was a proposed resolution entitled "AUTHORIZING SETTLEMENT OF RAY SHIMIZU VS. COUNTY OF MAUI, CASE NO. 7-01-03899". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case.

Your Committee notes that the claim alleges work-related injuries sustained on November 28, 2001, by Ray Shimizu.

At its meeting, your Committee met with the Acting Deputy Fire Chief, the First Deputy Corporation Counsel, and two Deputy Corporation Counsel.

There being 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.

At its executive meeting, your Committee met with the Acting Deputy Fire Chief, the First Deputy Corporation Counsel, and two Deputy Corporation Counsel.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 18, 2003
Page 2

Committee
Report No. 03-58

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 "AUTHORIZING SETTLEMENT OF RAY SHIMIZU VS. COUNTY OF MAUI, CASE NO. 7-01-03899" be ADOPTED.

Adoption of this report is respectfully requested.

cow:cr:0301(6)aa:cmn

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 18, 2003
Page 3

Committee
Report No. 03-58

ROBERT CARROLL Chair

MICHAEL J. MOLINA Member

DAIN P. KANE Vice-Chair

WAYNE K. NISHIKI Member

G. RIKI HOKAMA Member

JOSEPH PONTANILLA Member

JO ANNE JOHNSON Member

CHARMAINE TAVARES Member

DANNY A. MATEO Member