

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

October 21, 2005

Committee
Report No.

05-143

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 4, 2005, makes reference to County Communication No. 05-25, from the Council Chair, regarding proposed contracts for special counsel.

Your Committee is in receipt of correspondence dated September 26, 2005, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL, MARR HIPP JONES & WANG, IN JACK HENRY WILLIAMS, JR., ET AL. VS. COUNTY OF MAUI, HAWAII, CIVIL NO. CV05-00278 DAE LEK". The purpose of the proposed resolution is to authorize the employment of Marr Hipp Jones & Wang as special counsel in the referenced lawsuit for a total compensation of \$40,000.

Your Committee notes that this case includes allegations of violations of the Fair Labor Standards Act.

At its meeting, your Committee met with a Deputy Corporation Counsel.

There was no public testimony. The Deputy Corporation Counsel provided a brief overview of the case.

Your Committee discussed the possible consolidation of this case with other similar cases. The Deputy Corporation Counsel indicated that the Department of the Corporation Counsel is seeking consolidation of the cases at this time.

Your Committee requested a comprehensive cost-benefit analysis of the possible settlement of the aforementioned case in comparison to litigating the case.

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.

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Your Committee of the Whole RECOMMENDS that Resolution No. _____, attached hereto, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL, MARR HIPP JONES & WANG, IN JACK HENRY WILLIAMS, JR., ET AL. VS. COUNTY OF MAUI, HAWAII, CIVIL NO. CV05-00278 DAE LEK" be ADOPTED.

Adoption of this report is respectfully requested.

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