

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

November 18, 2005

**Committee
Report No.**

05-155

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 November 1, 2005, 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 October 18, 2005, from the Department of the Corporation Counsel, requesting consideration of the possible settlement of Gary Aiwohi v. County of Maui, Case Nos. 7-89-06662 and 7-92-03113. Attached to the request is a proposed resolution entitled "AUTHORIZING SETTLEMENT OF GARY AIWOHI V. COUNTY OF MAUI, CASE NOS. 7-89-06662, 7-92-03113". The purpose of the proposed resolution is to authorize the Department of the Corporation Counsel to settle the case.

Your Committee notes that the claims allege work-related injuries sustained on November 30, 1989 and June 27, 1992.

At its meeting, your Committee met with an Assistant Chief of Police and a Deputy Corporation Counsel.

There was no public testimony. The 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 an Assistant Chief of Police and a 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

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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 GARY AIWOHI V. COUNTY OF MAUI, CASE NOS. 7-89-06662, 7-92-03113" be ADOPTED.

Adoption of this report is respectfully requested.

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