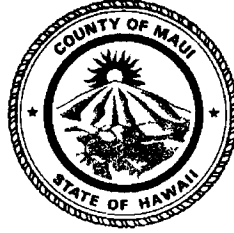


ALAN M. ARAKAWA
Mayor

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2018 FEB 12 AM 9:31



OFFICE OF THE
COUNTY COUNCIL

DEPARTMENT OF THE CORPORATION COUNSEL

COUNTY OF MAUI

200 SOUTH HIGH STREET, 3RD FLOOR

WAILUKU, MAUI, HAWAII 96793

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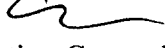
PATRICK K. WONG
Corporation Counsel

EDWARD S. KUSHI
First Deputy

LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761

January 24, 2018

MEMO TO: Donald Guzman, Chair
Parks, Recreation; Energy, and Legal Affairs Committee

FROM: Caleb P. Rowe 
Deputy Corporation Counsel

SUBJECT: LITIGATION MATTERS - Settlement of Claims and Lawsuits (PRL-1)
AUTHORIZING SETTLEMENT OF GLEN R. CABATINGAN vs.
COUNTY OF MAUI, ET AL.
DCD NO.: 7-15-01528
DATE OF ACCIDENT: August 14, 2015

Our Department respectfully requests the opportunity to present information to the Parks, Recreation; Energy, and Legal Affairs Committee and to discuss settlement options with regard to the above-referenced workers' compensation claim in this matter.

Copies of the proposed Resolution authorizing settlement is attached.

It is anticipated that an executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities and liabilities of the County, the Council, and the Committee.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your anticipated assistance in this matter.

cc: David Goode, Director, Department of Public Works

Resolution

No. _____

AUTHORIZING SETTLEMENT OF
GLEN R. CABATINGAN V. COUNTY OF MAUI,
DISABILITY COMPENSATION DIVISION CASE NO. 7-15-01528

WHEREAS, Claimant Glen R. Cabatingan filed a Workers' Compensation Claim alleging work-related injuries sustained on August 14, 2015; 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 Claim under the terms and conditions proposed in an executive meeting before the Parks, Recreation, Energy, and Legal Affairs Committee; now therefore,

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

1. That it hereby approves settlement of Glen R. Cabatingan v. County of Maui, Disability Compensation Division Case No. 7-15-01528, under the terms set forth in an executive meeting before the Parks, Recreation, Energy, and Legal Affairs Committee; and

2. That it hereby authorizes the Mayor to execute a Stipulation and Settlement Agreement on behalf of the County in this case; and

Resolution No. _____

3. That it hereby authorizes the Director of Finance of the County of Maui to satisfy said settlement of this case, under such terms and conditions as may be imposed, and agreed to, by the Corporation Counsel; and

4. That payment is authorized to satisfy this settlement following approval of the Stipulation and Settlement Agreement by the Department of Labor and Industrial Relations, State of Hawaii; and

5. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Director of Public Works, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RISK 2015-0352