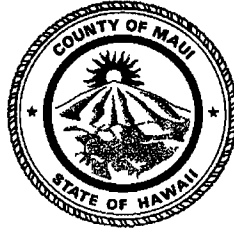


ALAN M. ARAKAWA
Mayor



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

DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808) 270-7740
FACSIMILE: (808) 270-7152

OFFICE OF THE
COUNTY COUNCIL

2017 OCT 11 PM 12:46

RECEIVED

October 11, 2017

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

FROM: Brian A. Bilberry
Deputy Corporation Counsel

SUBJECT: Litigation Matter – Status Update and Authorizing Settlement in *Harry Donenfeld v. County of Maui, et al.* USDC CIVIL No. 16-00381-DKW-KJM

Following a settlement conference on Wednesday, September 20, 2017 with federal Magistrate Kenneth J. Mansfield, and receipt of a final demand from Plaintiff, our Department respectfully requests the opportunity to update the committee on the status of settlement negotiations.

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.