

REQUEST FOR LEGAL SERVICES

Date: August 14, 2019
From: Michael J. Molina, Chair
Governance, Ethics, and Transparency Committee

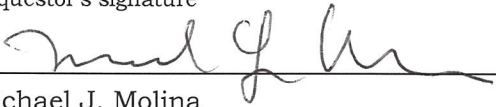
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Caleb Rowe, Esq.

Subject: LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: FARMERS INSURANCE HAWAII, INC., ON BEHALF OF MARIE CHESTER; CLAIM 30181069017-0001) (GET-11(12))

Background Data: Please revise proposed resolution as reflected in the attached markup. A hard copy of the revised proposed resolution, approved as to form and legality, is requested with your response.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Michael J. Molina	Contact Person <u>Carla Nakata or David Raatz</u> (Telephone Extension: 7659 or 7664, respectively)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): _____
REASON: _____

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

Resolution

No. _____

AUTHORIZING SETTLEMENT OF CLAIM NO. 30181069017-0001
OF FARMERS INSURANCE HAWAII, INC., ON BEHALF OF
MARIE CHESTER

WHEREAS, Farmers Insurance Hawaii, Inc. ~~(X)~~ filed Claim No. 30181069017-0001 on September 25, 2018, against the County of Maui for damages to Marie Chester's vehicle resulting from a collision involving a Maui County fleet vehicle on August 8, 2018; and

WHEREAS, Marie Chester is insured for such damage by Farmers Insurance Hawaii, Inc.; and

WHEREAS, Farmers Insurance Hawaii, Inc., as subrogee of this claim, has alleged that the County of Maui is liable for the expenses paid by Farmers Insurance Hawaii, Inc.; and

WHEREAS, the County of Maui and Farmers Insurance Hawaii, Inc., to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, have reached a proposed resolution of this claim by way of a negotiated settlement; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this claim by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement; now, therefore,

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

Resolution No. _____

1. That it hereby approves settlement of Claim No. 30181069017-
0001[#] in the amount of EIGHT THOUSAND ONE AND 99/100 DOLLARS
(\$8,001.99); and

2. That payment is authorized to satisfy settlement of this claim
following the execution of the "Release of Claim" by Farmers Insurance Hawaii,
Inc.; and

3. That certified copies of this Resolution be transmitted to the Mayor,
the Director of Finance, the Director of ~~the Department of Parks & Recreation~~^{and},
and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
2018-0549