

REQUEST FOR LEGAL

RECEIVED

By Dept of the Corporation Counsel at 1:01 pm, Jun 05, 2025

Date: June 5, 2025
From: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

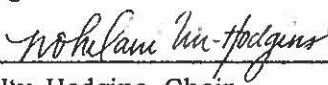
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: John J. Gores, Esq.

Subject: RESOLUTION 25-116, SETTLEMENT AUTHORIZATION: FIRST FIRE AND CASUALTY INSURANCE OF HAWAII, INC. v. COUNTY OF MAUI, ET AL.; CIVIL FILE: 2CCV-24-0001055 (GREAT-11(14))

Background Data: Please see Resolution 25-116, CD1. Please submit your response to great.committee@mauicounty.us with a reference to GREAT-11(14).

Work Requested: ☒ [X] FOR APPROVAL AS TO FORM AND LEGALITY
☐ [] OTHER:

Requestor's signature  Nohelani U'u-Hodgins, Chair	Contact Person <u>Peter Hanano</u> (Telephone Extension: 8007)
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☐ [] ROUTINE (WITHIN 15 WORKING DAYS) ☐ [] RUSH (WITHIN 5 WORKING DAYS)
☐ [] PRIORITY (WITHIN 10 WORKING DAYS) ☐ [] URGENT (WITHIN 3 WORKING DAYS)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): June 12, 2025, 12pm
REASON: For posting on June 20, 2025, Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

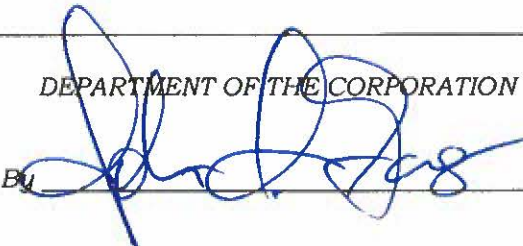
ASSIGNED TO: <u>JJG</u>	ASSIGNMENT NO. <u>Risk-2023-0956</u> BY: <u>jcm</u>
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TO REQUESTOR: ☐ [] APPROVED ☐ [] DISAPPROVED ☐ [] OTHER (SEE COMMENTS BELOW)
☐ [] RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

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

DEPARTMENT OF THE CORPORATION COUNSEL

Date 6/5/2025


By _____ (Rev. 7/03)

great:ltr:011(14)acc01:pah

Attachment

Resolution

No. 25-116, CD1

AUTHORIZING SETTLEMENT OF *FIRST FIRE AND CASUALTY
INSURANCE OF HAWAII, INC. V. COUNTY OF MAUI, ET AL.*;
CIVIL FILE 2CCV-24-0001055

WHEREAS, Plaintiff First Fire and Casualty Insurance of Hawaii, Inc. filed a Complaint on December 17, 2024, in the Second Circuit Court, State of Hawai'i, Civil File 2CCV-24-0001055 against the County of Maui alleging claims of negligence, respondeat superior, and vicarious liability regarding an incident that occurred on December 19, 2022; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of this case by way of a negotiated settlement or Offer of Judgment; and

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this case under the terms presented in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

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

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

1. That under Section 3.16.020, Maui County Code, it approves settlement of *First Fire and Casualty Insurance of Hawaii, Inc. v. County of Maui, et. al.*, Civil File 2CCV-24-0001055, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under terms and conditions as may be imposed

Resolution No. _____

by the Corporation Counsel consistent with the Council's settlement approval;

3. That it authorizes the Director of Finance to satisfy settlement of this case, under terms and conditions as may be imposed by the Corporation Counsel, consistent with the Council's settlement approval; and
4. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Director of Public Works, and Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



JOHN J. GORES
Department of the Corporation Counsel
County of Maui

great:misc:011(14)areso01:pah

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John R. Lee", is written over a horizontal line.

Upon the request of the Mayor.

Great Committee

From: Jocelyn C. Moniz <Jocelyn.Moniz@co.maui.hi.us>
Sent: Thursday, June 5, 2025 2:59 PM
To: Great Committee
Cc: John J. Gores; Peter A. Hanano
Subject: GREAT-11(14) - Resolution 25-116, CD1, Settlement Authorization: First Fire and Casualty Insurance of Hawaii, Inc. v. County of Maui, et al.; Civil 2CCV-24-0001055
Attachments: 2025-06-05 OCS RFLS GREAT Reso 25-116.pdf

Good afternoon GREAT Committee Staff,

Please see the attached signed Resolution 25-116, CD1 for further processing.

Thank you,

Jocelyn Moniz
(x7515)

From: Great Committee <Great.Committee@mauicounty.us>
Sent: Thursday, June 5, 2025 12:09 PM
To: CorpCounselRFLS <CorpCounselRFLS@co.maui.hi.us>
Cc: Great Committee <Great.Committee@mauicounty.us>
Subject: OCS - GREAT - Resolution 25-116, Settlement Authorization: First Fire and Casualty Insurance of Hawaii, Inc. v. County of Maui, et al.; Civil 2CCV-24-0001055 (GREAT-11(14))

Please see attached RFLS.

Thank you,
GREAT Committee Staff