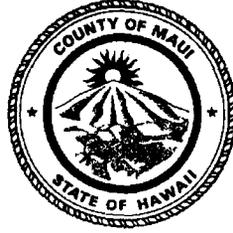


ALAN M. ARAKAWA  
Mayor



PATRICK K. WONG  
Corporation Counsel

EDWARD S. KUSHI  
First Deputy

LYDIA A. TODA  
Risk Management Officer  
Tel. No. (808) 270-7535  
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DEPARTMENT OF THE CORPORATION COUNSEL  
COUNTY OF MAUI  
200 SOUTH HIGH STREET, 3<sup>RD</sup> FLOOR  
WAILUKU, MAUI, HAWAII 96793  
EMAIL: CORPCOUN@MAUICOUNTY.GOV  
TELEPHONE: (808) 270-7740  
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2018 JUN -5 AM 10:55  
OFFICE OF THE  
COUNTY COUNSEL

RECEIVED

June 5, 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 PAULA BURNS vs.  
COUNTY OF MAUI, ET AL.  
DCD NO.: 7-17-00866  
DATE OF ACCIDENT: December 12, 2016

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: Kaala Buenconsejo, Director, Department of Parks & Recreation

# Resolution

No. \_\_\_\_\_

AUTHORIZING SETTLEMENT OF  
PAULA BURNS V. COUNTY OF MAUI,  
DISABILITY COMPENSATION DIVISION CASE NO. 7-17-00866

WHEREAS, Claimant Paula Burns filed a Workers' Compensation Claim alleging work-related injuries sustained on December 12, 2016; 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 Paula Burns v. County of Maui, Disability Compensation Division Case No. 7-17-00866, 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

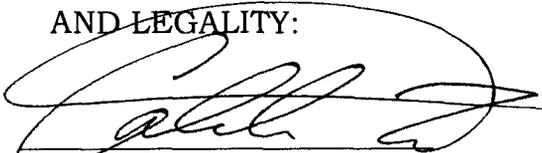
**Resolution No. \_\_\_\_\_**

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 Parks and Recreation, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Caleb P. Rowe', is written over a horizontal line. The signature is stylized and cursive.

CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui  
RISK 2017-0148