

REQUEST FOR LEGAL SERVICES

D a t e: June 6, 2025
F r o m: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

TRANSMITTAL


Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Bradley Sova, Esq.

Subject: RESOLUTION 25-99, SETTLEMENT AUTHORIZATION: MELISSA MAGONIGLE v. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.; CIVIL FILE 2CCV-23-0000030
(GREAT-11(11))

Background Data: Please see Resolution 25-99, CD1. Please submit your response to great.committee@mauicounty.us with a reference to GREAT-11(11).

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: <u>8007</u>)
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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, 12 pm
REASON: For posting on June 20, 2025, Council meeting agenda.

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)

great:ltr:011(11)acc01:pah

Attachment

Resolution

No. 25-99, CD1

AUTHORIZING SETTLEMENT OF *MELISSA MAGONIGLE V. COUNTY OF MAUI POLICE DEPARTMENT, ET AL.*; CIVIL FILE 2CCV-23-0000030

WHEREAS, Plaintiff Melissa Magonigle filed a Second Amended Complaint on May 13, 2024, in the Second Circuit Court, State of Hawai'i, Civil File 2CCV-23-0000030, against the Maui Police Department, alleging claims of gender discrimination and retaliation under Section 378-2, Hawai'i Revised Statutes, and whistleblower retaliation under Section 378-62, Hawai'i Revised Statutes, relating to incidents alleged to have occurred between December 17, 2021, and February 7, 2024, while she was employed as Business Administrator II with the Maui Police Department; and

WHEREAS, the Maui Police Department, 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 a 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 *Melissa Magonigle v. County of Maui Police Department, et al.*; Civil File 2CCV-23-0000030, 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 Maui Police

Resolution No. 25-99, CD1

Department in this case, under terms and conditions as may be imposed 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, Chief of Police, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

BRADLEY J. SOVA
Department of the Corporation Counsel
County of Maui

great:misc:011(11)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.