

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

October 7, 2025

Online Only via Teams

CONVENE: 1:35 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: VOTING MEMBERS:

Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member

STAFF:

Kasie Apo Takayama, Senior Legislative Analyst
Jarret Pascual, Legislative Analyst
Peter Hanano, Legislative Attorney
Maria Leon, Committee Secretary
Lei Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Offices

Mavis Oliveira, Council Aide, East Maui Residency Area Office
Chaelin Ryu, Council Aide, South Maui Residency Area Office
Buddy Almeida, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

ADMIN.:

Victoria J. Takayesu, Corporation Counsel, Department of the Corporation
Counsel (GREAT-5(4))
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation
Counsel (All)
John J. Gores, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-11(19))

OTHERS:

Jordan K. Inafuku, Partner, McCorriston Miller Mukai MacKinnon LLP
(GREAT-5(4))
Craig K. Shikuma, Partner, Kobayashi Sugita & Goda (GREAT-11(19))

Testifiers

Jasee Law (All)

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(10+) additional attendees

PRESS: *Akakū: Maui Community Television, Inc.*

CHAIR U‘U-HODGINS: ...*(gavel)*... Good afternoon, everyone. Will the Government Relations, Ethics, and Transparency Committee meeting of October 7th, 2025, please come to order. It is 1:35 p.m. I'm your Chair, Nohelani U‘u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Let's begin with Committee Vice-Chair Tamara Paltin. Aloha.

VICE-CHAIR PALTIN: Aloha and kia ora tatou.

CHAIR U‘U-HODGINS: Kia ora.

VICE-CHAIR PALTIN: Streaming live and direct from the future. Here I am at the Kupe Waka Marae Centre. And the guy I was talking to just left because he didn't want to be identified. So, I'm alone in the dining room/kitchen area of this whare. And if we go into executive session, I'll lock the doors and put in earphones.

CHAIR U‘U-HODGINS: Mahalo. Thank you very much. Aloha, Councilmember Tom Cook.

COUNCILMEMBER COOK: Aloha. Aloha and good afternoon, Chair. There's currently no testifiers in the Kihei office, but we have people on standby, and I look forward to your meeting. Thank you.

CHAIR U‘U-HODGINS: Thank you very much. Councilmember Gabe Johnson. Is he with us? Did we see him on? Aloha.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There's no testifiers at the Lāna‘i District office. I'm alone in my...or I'm alone in my car and I'm here and ready to work. Mahalo.

CHAIR U‘U-HODGINS: Thank you very much. Councilmember Tasha Kama, aloha.

COUNCILMEMBER KAMA: Aloha ‘auinalā, Chair. I am home alone in my workspace and I have Lena in the other room. Thank you.

CHAIR U‘U-HODGINS: Thank you. Member Rawlins-Fernandez and Member Sinenci are excused if...I don't see them on...okay. And aloha, Member Sugimura.

COUNCILMEMBER SUGIMURA: Aloha. And looking forward to a very interesting meeting.

CHAIR U‘U-HODGINS: Thank you.

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COUNCILMEMBER SUGIMURA: Yeah.

CHAIR U'U-HODGINS: Aloha, Chair Lee. Good afternoon.

COUNCILMEMBER LEE: Good afternoon, and kia ora.

CHAIR U'U-HODGINS: Kia ora. From Corporation Counsel, we have with us today Victoria Takayesu, Corporation Counsel; Thomas Kolbe, Deputy Corporation Counsel; and Mr. John Gores, Deputy Corporation Counsel. We have Special Counsel with us as well, and I will introduce them when they are needed for the item. Our Committee Staff include Maria Leon, Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Jarret Pascual, Legislative Analyst; Peter Hanano, Legislative Attorney; and Lei Dinneen, Council Services Assistant Clerk. Please see the last page of the agenda for information...meeting on connectivity [sic]. Do we have any testifiers?

MR. PASCUAL: Chair, there's no testifiers signed up at the beginning of the meeting.

CHAIR U'U-HODGINS: Okay.

MR. PASCUAL: But I do see --

CHAIR U'U-HODGINS: Well, as the person is running down, I will do a couple of things. Although, I know you're quite familiar, I will just emphasize that oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When you are done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take up each person in a orderly fashion. And we will now call on our in-person testifier to testify at the beginning of the meeting.

. . . OPEN PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

MR. LAW: Aloha awakea --

CHAIR U'U-HODGINS: Aloha.

MR. LAW: -- Luna Ho'omalū Nohelani. I'm going to speak on both...yeah, both of them before the meeting. And it's been a year since you told me not to...I mean, you didn't tell me, but Blake told me don't talk to you. So, I'm not sure what's going on with that. I just think you the bomb. Am I allowed to say that, Ambassador? No. Okay. Nā mea hou e pili ana i ka ho'opi'i kānāwai no ke ahi hihui. Thank you, Council Services, for translating that. Yeah, this is right up your alley, Fire Tiger (*phonetic*), on updates on wildfire litigation. And I'm anxious to hear what's the presentation on that. I don't know if Mr. Kolbe or somebody else is going to do that. But I was really pleased to see that the...there's a Resolution 25-184, Settlement Authorization for Christopher Salem. It was really strange when he would come on there and...and testify that some...he was

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trying to do a good thing, and something...it seemed like something bad was happening to him. And I know it wasn't this Administration, something happened a long time ago. Shew, I don't know, that's...that's just...I can't explain that one either, other than to say it's like *Star Wars*-type stuff...Jedi versus the Dark Side, or something like that, I guess. Spiritual battle? I don't know. Anyway, thank you for your time, everybody. And thank you for working for the County, and I save the rest of my time for the Hawaiians.

CHAIR U'U-HODGINS: Thank you. Do we have any other testifiers?

MR. PASCUAL: Chair, there's no other individual signed up to testify. Would you like me to do a last call?

CHAIR U'U-HODGINS: Please.

MR. PASCUAL: This is the last call for oral testimony at the beginning of the meeting. Please come up to the podium or raise your hand on Teams if you would like to testify. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you.

. . . CLOSE PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

CHAIR U'U-HODGINS: We will now move on to the update on the wildfire litigation, GREAT-5(4).

ITEM 5(4): UPDATES ON WILDFIRE LITIGATION (Rule 7(B))

CHAIR U'U-HODGINS: We have Department of Corporation Counsel joining us today, they wanted to provide us an update. But before we do, if...without objections, I would like to designate, under Rule 18(A) of Rules of the Council, Mr. Jordan Inafuku with McCorriston firm as a resource.

COUNCILMEMBERS: No objections.

CHAIR U'U-HODGINS: Thank you very much. And at this time, if I could ask Deputy...well, actually, Victoria --

MS. TAKAYESU: Uh-huh.

CHAIR U'U-HODGINS: -- if you wouldn't mind providing us--oh, Corporation Counsel Takayesu, sorry to be so informal--a update. Thank you.

MS. TAKAYESU: Thank you. Thank you and hello, everyone. I appreciate the time that you are taking today to listen to the updates. Thank you, Chair. I would like to take this

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opportunity to just present what the status of the wildfire settlement is right now, as well as the litigation. I do anticipate going into executive session at some point, but I will endeavor to make as much public as appropriate, that we can. I'd like to begin, perhaps, with the status update of the 'Ohana Fund. That is, if everybody probably recalls, a fund that was contributed to by various entities that equaled 175 million. The purpose of the fund was to assist those...there was a special category for death and serious physical injuries, and the purpose was to assist those making claims under those two items, an expeditious way to resolve their claims without going through litigation or necessarily...not necessarily with an attorney. So, just as an update, there was Phase 1...or Tier 1 of the One 'Ohana Fund. That included, as I said, death and serious physical injury claims. There were 50 registered claims for death, and 21 serious physical injury claims. Judge Ibarra was appointed by the Court as Administrator of this fund, and after screening by him to ensure that the claims were substantiated, and that it was the correct people making the claims, we were left with 26 registered claims for the death and seven for serious physical injury. Of the 26 deaths, offers of 1.5 million remain on each, and 23 were accepted. So, that came to a total 34.5 million were paid out of the One 'Ohana Fund for death claims. For the serious physical injuries, seven offers were made, and four were accepted. I don't have the information for the individual amounts, probably because they varied, depending on what the injuries were...but we do know that as of August 8th, 2025, we were provided an update by Judge Ibarra, and \$40 million had been paid in total. That leaves 135 million available still in the One 'Ohana Fund. That Phase 1 is closed. However, in August of 2025, Phase 2 was...or will allow reopening of the program for the additional category of other serious physical injury claims. And that's been defined as either overnight hospitalization or emergency out payment...outpatient treatment. That has not yet started, but I anticipate it will be started soon. So, I don't have any information as to how many claims that's going to encompass, or however much money that's going to be paid out in. Any monies, though, that are not paid out in the One 'Ohana Fund are going to revert to the Settlement Fund. I'd like to go on, now, to the State Court where we have our special proceeding. In the special proceeding, that is basically housing our wildfire litigation and settlement process. So, for just purposes of discussion and to make definitions, that encompasses individual plaintiffs, which we refer to as IPs, as well as the class action, which we just refer to as the class. Aside from the individual plaintiffs, or the IPs, there are two class actions currently subsumed in the State Court. We do have one pending in Federal Court, but our Special Counsel, Jordan Inafuku from McCorriston, will talk more about the class. As of this time, the approximate number of cases filed against the County are 3,965. That...each case can encompass, obviously, more than one plaintiff. So, that is not the number of plaintiffs, or individuals, or businesses, that's just the number of case filings. A Special Master had been...or has been approved...actually there are three Special Masters approved by the Court to help create, coordinate, and manage the settlement plan. As of this time, individual...well, plaintiff counsels are gathering releases from plaintiffs. And we are up to, as of the last settlement report...or release report, I'm sorry...we are seeing 19,000 releases that have been received so far, and we anticipate probably a couple thousand more. In terms of funding and payments, I know that a lot of people are waiting for their payments to start. The funding for the settlement takes place over four years. So, of the various defendants, they've committed to a four-year payment plan. Some are

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uploading...or front loading their payments, but that's how the settlement is structured. In terms of how payments are going to be paid out, I don't have that information. That information hasn't been determined yet. It could be a matter of priority in terms of extent of injury, or property damage. It could be something that's allocated over four years. So, I don't, at this time, have information whether a plaintiff is going to get a lump sum payment or, again, payment spread out over time, or how that's going to be prioritized. There is a status conference scheduled for October 31st in the Second Circuit where some critical dates will be given, and we'll have a better understanding, perhaps, of when those payments are going to start. Just, I guess, based on my information and belief--but I wouldn't take it to the bank, necessarily--I believe that payments could start the first quarter of 2027, but there are some issues--'26, sorry...2026--but there are some issues that are going to have to be worked out first, and that would...I think the major issue would be the subrogation claims, which Jordan's going to speak to. So, I'm going to let...turn it over to Jordan right now. He'll talk about the subrogation, and the class action, and what's going on there. And then I anticipate us going into executive session to, perhaps, talk a little more in detail about what's going on. Thank you.

MR. INAFUKU: Thank you. With respect to the class action, I just wanted to remind you that the class action is a vessel for which we're trying to encompass all the claimants of...that relate to the Maui wildfire. So, it's there to function as a catch-all. There's the consolidated class that is before Judge Cahill in State Court. They're on their way toward a final approval of the settlement class and the claims administration process. That will take place in the next month. So, the motion for that will happen in November, and we should have a ruling on whether the class is finally approved, and that process toward payment of class claims is approved by Judge Cahill. At the same time, other attorneys have filed a Federal class action case. And there were...one was called the *Stover* case, and now another one has been filed called the *Bash* case. Both have been filed by the same attorney, and we're collectively...defendants, and plaintiffs, and the class plaintiffs collectively are trying to figure out how to manage and resolve the Federal class. So, right now, it's stayed, and we're trying to fold them into the class that's in front of the State Court, which is already on the way. But just so you know, there's one in Federal Court currently. That's the update on the class settlement process. Again, important dates will happen in November for rulings on the final approval. Then, for subrogation, as you recall, the subrogation portion of this has to do with the insurers who have paid out money to the individual claimants...to the individual claimants and to the County. There's an issue on them getting money back based on what they've paid out...what they've actually paid out. This was previously before...this issue was teed up before the Hawai'i Supreme Court. We came and reported to you guys about that previously. The Hawai'i Supreme Court made rulings that it goes through a lien process that is statutory, and that's how we've proceeded. In the class action before Judge Cahill, the subrogation parties tried to intervene into that to stop approval of the class settlement process. Judge Cahill denied their motion for intervention, and the subrogation parties have appealed that denial to the Intermediate Court of Appeals, which is our State Appellate Court. We have now filed...well, it was the class...the class has filed an application to take that appeal, and take it straight to the Hawai'i Supreme Court to expedite the ruling on it. And so, that is currently pending

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before the Hawai'i Supreme Court, though we anticipate that Hawai'i Supreme Court may take it. The...the issue with that, and why I'm describing this legal appeal process to you, is because one of the conditions for the initial payment of Settlement Funds is that the subrogation issue is finally resolved. And so, the appeals process would need to play out before initial payment starts on...on settlement. So, all the parties--defendants, the IPs and their counsel, and the class counsel--are all working toward resolving the subrogation issue so that we can get payments out as soon as possible. I think that's the...that's the extent of the update for class and for subrogation.

MS. TAKAYESU: Chair, so --

CHAIR U'U-HODGINS: Yes.

MS. TAKAYESU: I'm sorry I was going to --

CHAIR U'U-HODGINS: Oh.

MS. TAKAYESU: -- say if we can discuss further issues in executive session.

CHAIR U'U-HODGINS: Okay. Thank you. But before we get into discussion, can I please double-check with Staff to make sure that there's no other testifiers wishing to testify on this item.

MR. PASCUAL: Thank you, Chair, there's no individuals signed up to testify. If anyone would like to testify, please come up to the podium or raise your hand on Teams. This is last call. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, without objection, I will now close oral testimony on this item.

COUNCILMEMBERS: No objections.

CHAIR U'U-HODGINS: Thank you. As a reminder, written testimony will continue to be accepted.

. . . CLOSE PUBLIC TESTIMONY ON GREAT-5(4) . . .

CHAIR U'U-HODGINS: We're going to be doing a three-minute question period, if that's okay with you folks. Please ask any questions that you can ask in open session before we go into executive session. I won't be calling on anyone particularly, there's no rules. So, if you do have a question, please raise your hand. Member Paltin, followed by Chair Lee.

VICE-CHAIR PALTIN: Thank you. That was a lot of legalese, it felt like. First question, no initial payments have been paid...no payments have been paid out to any of the plaintiffs?

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MS. TAKAYESU: Payments have been made from the One 'Ohana Fund, but not from the Settlement Fund. Yeah.

VICE-CHAIR PALTIN: Okay. Because the One 'Ohana folks aren't plaintiffs, right? They're just claimants.

MS. TAKAYESU: That's correct. Yeah.

VICE-CHAIR PALTIN: Okay. And then the Federal cases, the *Stover* and the *Bash* case, can you repeat that part? I kind of missed it. Like what is...what is the difference if it's a Federal case that makes it --

MR. INAFUKU: There's...yes, there's no difference in the way that the complaint is put forth. They chose the Federal venue, which in the beginning of this case, we went back and forth between State and Federal venues. We chose to try to keep it in front of Judge Cahill so that we could keep all the issues in front of one judge and in one case. Ultimately, this is a rogue case that we haven't been able to fold within the larger case that's in front of Judge Cahill. It is --

VICE-CHAIR PALTIN: So, they're going along parallel to all the folks that are going in front of Judge Cahill? Is that what's going on?

MR. INAFUKU: They would like to, but what...what ultimately happens is the Federal court sees that there's already a class action that has been litigated extensively, and that has received preliminary approval, and that is about to receive final approval. So, the Federal court ends up staying the case. Right now, we were trying to work out an agreement so we didn't have to file a motion, but a motion is...is likely coming to stay the *Bash* case as well.

VICE-CHAIR PALTIN: And then you said the same lawyer did both of those cases. Can you mention who it is, or is that not allowed?

MR. INAFUKU: No, I can. It's of public record. His name is Mr. Sam King. He was previously the attorney who filed for the *Stover* matter, and he has now found additional representatives for the *Bash* matter.

VICE-CHAIR PALTIN: And then --

MR. INAFUKU: Sam King, Jr. I'm sorry --

VICE-CHAIR PALTIN: -- when you say --

MR. INAFUKU: -- Mr. Sam King, Jr.

VICE-CHAIR PALTIN: And when you say case, there...same thing, there might be multiple people in those cases?

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MR. INAFUKU: Yes, it's...it's multiple named plaintiffs as class representatives. And then because it's a class complaint, he writes out what the class...what he would like to allege the class encompasses. . . .(timer sounds). . . One of the issues is that the class that's in front of Judge Cahill is already broad enough to encompass the class that he is alleging in *Bash* and in *Stover*.

VICE-CHAIR PALTIN: Okay. I heard the bell. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Paltin.

VICE-CHAIR PALTIN: Oh, I didn't ask any executive session questions.

CHAIR U'U-HODGINS: Not yet anyway. Chair Lee?

CHAIR LEE: Okay. Thank you, Jordan. There were, what, about 102, 104 people who died, and there are only 26 death claims. How come?

MS. TAKAYESU: I can only speculate. It was, you know, broadly advertised that the fund was available, but it was up to people to apply. So, there just weren't that many applicants. Perhaps they felt they would do better in court or, you know...

COUNCILMEMBER LEE: I see. Okay. And even with the injured, 21 injured, only seven offers accepted?

MS. TAKAYESU: Yes. Of the 21 initial registered claims, Judge Ibarra, who was the Administrator of the fund, was only able to really substantiate seven. They did have to meet the criteria of being serious physical injuries.

COUNCILMEMBER LEE: Okay.

MS. TAKAYESU: Yeah.

COUNCILMEMBER LEE: So, then...so 40 million was for the death claims and was...is that correct, 40 million?

MS. TAKAYESU: Thirty-four point five million was paid out on the death claims, leaving a total...and then another...my math...5.5 million was paid to the seven for the serious physical injury...because the total came to about 40 million paid out.

COUNCILMEMBER LEE: Paid out. Okay. So, there's quite a bit left. And that's --

MS. TAKAYESU: Yeah.

COUNCILMEMBER LEE: -- going to the Settlement Fund. And I...I heard you say something about 19,000 releases?

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MS. TAKAYESU: Yes. And just to clarify --

COUNCILMEMBER LEE: Wait, wait, how can you have...well, 19,000 releases, but you only 3,965 cases.

MS. TAKAYESU: Yeah. So, let me just clarify a couple things. We are...they are going to open Phase 2 of the One 'Ohana Fund. So, there might be...or we anticipate there will be more claims made under that because they're expanding the scope of the definition to overnight hospital stays or emergency room visits. So, it's not quite going into the Settlement Fund yet, that's all going to get resolved. And then as to the number of cases, there were a number of defendants in this case...the County is only one of them. So, 3,965 cases were filed against the County. There were more cases filed against all the other defendants, so not everyone decided to sue the County. So, that's...explains some of that. But as I mentioned, some of these cases have hundreds of plaintiffs. So, each case has a number...a filing number, but each of those numbers...each of those filing numbers can contain hundreds of individuals. And that's how we're getting up to like 17,000, and anticipate...

COUNCILMEMBER LEE: So, you know, the people that are suing, what...how much is in that fund?

MS. TAKAYESU: That's part of the Settlement Fund of 1.2 billion.

COUNCILMEMBER LEE: 1.2 billion.

MS. TAKAYESU: Yeah.

COUNCILMEMBER LEE: Okay. Yeah, that's all I have. Thank you.

CHAIR U'U-HODGINS: Thank you, Chair. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, basically, then, you're going to open up the One 'Ohana again. So, people who have second thoughts now can apply for it that didn't do it the first round?

MS. TAKAYESU: . . . (*inaudible*) . . .

MR. INAFUKU: They're...they're reopening the One 'Ohana Fund for claimants that...after...after the date of August 8th, 2025...so if you haven't made a claim yet and would like to. And the scope of this fund has extended to additional injuries.

COUNCILMEMBER SUGIMURA: Okay.

MR. INAFUKU: So, it is an additional opportunity that should cover more claimants.

COUNCILMEMBER SUGIMURA: Okay.

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MR. INAFUKU: Now...sorry, can I also clarify that any claimant has three choices. They can go into One 'Ohana Fund and do it without litigation. They can go and hire an attorney, or...or file claims in court through IP, and that would go through the IP settlement fund. Or they can join the class, and they can take from the class settlement fund. So, it's their choice between the three. So, that also explains, also, some of the numbers for the One 'Ohana Fund.

COUNCILMEMBER SUGIMURA: Okay. I know that...by just talking to people in the community, that they're, you know, hoping for some kind of funds to come from this. So, you're saying...I mean they're not the One 'Ohana group, but just they're, you know, rebuilding their homes. When can they anticipate any kind of outcome, I guess, from the lawsuits?

MS. TAKAYESU: So, as Jordan mentioned, I think one of the big stumbling blocks to getting those payments out is the subrogation issue. That's got to get resolved. Because if it doesn't get resolved, it has the potential of blowing up the whole settlement. So, we're hoping that it gets resolved quickly. And if it does, we could anticipate the payments going out the first quarter of next year, assuming, again, the subrogation issue gets resolved. However, how those payments are going to be made, or prioritized, or allocated, has not yet been decided.

COUNCILMEMBER SUGIMURA: Thank you. Thank you.

CHAIR U'U-HODGINS: Thank you, guys. Members, do you have any other questions before we move into executive session? Member Paltin.

VICE-CHAIR PALTIN: Sorry, can you repeat about the 19,000 number?

MS. TAKAYESU: Sure. So, those are releases that the individual plaintiffs' counsel have gathered from their clients. So, to date...the settlement can't happen until we receive releases from individual plaintiffs. So, the...their counsel has been working diligently in getting all of them done. We anticipate probably another couple thousand to go, give or take. That's where that number comes from.

VICE-CHAIR PALTIN: Okay. And so, that's like how you said of the 3,965 cases, there's multiple people in the cases.

MS. TAKAYESU: Yes, correct.

VICE-CHAIR PALTIN: And could they email those releases? Because some folks on this huaka'i said they missed the meeting with their lawyer?

MS. TAKAYESU: I don't...yeah, they could email it to their lawyer, and the lawyer can figure out how to get it to the Special Masters. Unless --

VICE-CHAIR PALTIN: It doesn't need to be a wet signature?

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MR. INAFUKU: This...this process is being administered by the Masters in the individual plaintiff claims administration process, and run through the liaison counsel, so the...the...run through the attorneys. They...they can email it to the attorneys, and I believe that they're accepting electronic signatures. But there's rules about that within that claims process because of what...they need to make sure...is they have to authenticate each of the releases. So, I would...I would say talk to your attorney, and --

VICE-CHAIR PALTIN: Talk to your lawyer. Okay.

MR. INAFUKU: -- and the Claims Administrator can give advice on those things.

VICE-CHAIR PALTIN: Thank you. Thank you, Chair.

CHAIR U'U-HODGINS: Of course. Any other questions before we go into executive session? If not, I will entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability of the County, the Council, and the Committee.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR U'U-HODGINS: Thank you. I have a motion made by Member Cook, second by Member Sugimura. Any further discussion? Seeing none. All those in favor, please vote "aye."

COUNCILMEMBERS: Aye.

CHAIR U'U-HODGINS: All opposed? You can, but please vote "aye."

MS. APO TAKAYAMA: Chair, that's seven "ayes," zero "noes," two excused, Member Sinenci and Member Rawlins-Fernandez. Motion carries.

CHAIR U'U-HODGINS: Thank you very much.

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VOTE: **AYES:** **Chair U‘u-Hodgins, Vice-Chair Paltin, and Councilmembers Cook, Johnson, Kama, Lee, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmembers Rawlins-Fernandez and Sinenci.**

MOTION CARRIED.

ACTION: **RECESS open meeting and CONVENE executive meeting.**

CHAIR U‘U-HODGINS: Members, Kasie will move us into where we need to go, so please don't touch your computers. If not, IT will have to come and fix it for us. And other than that, we are going to go into executive session. Oh, wait, hold on. For the record, the following personnel will be attending this executive meeting. All Councilmembers, including myself, Nohelani U‘u-Hodgins, Committee Vice-Chair Tamara Paltin, Councilmember Tom Cook, Councilmember Gabe Johnson, Councilmember Tasha Kama, Council Chair Alice Lee, and Councilmember Yuki Lei Sugimura. Council Services Staff include Mr. Hanano, Legislative Attorney; and Maria Leon, Committee Secretary. And from Corporation Counsel, are we going to have all three of you stay in? Okay. So, we're going to have Corporation Counsel Takayesu, Deputy Corporation Counsel Thomas Kolbe, and Mr. Jordan Inafuku, Special Corporation Counsel [sic] with the McCorriston firm. I think that's it. So, at this time, it is 2:06. And I'm going to call a ten-minute recess, and we will reconvene in executive meeting. And this GREAT Committee is now in recess. . . .(gavel). . .

RECESS: 2:06 p.m.

RECONVENE: 3:25 p.m.

CHAIR U‘U-HODGINS: . . .(gavel). . . Will the GREAT Committee please reconvene. It is 3:25 p.m. We just got out of our executive session meeting. And at this time, if Mr. Hanano can please provide all the things we need to say when we come back into open session. Thank you.

MR. HANANO: Thank you, Chair. The GREAT Committee met to discuss legal strategies related to insurance coverages for the County, including settlement considerations relating to insurance claims pertaining to the 2023 wildfires. In addition, there was also

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discussions related to the rights, liabilities, and settlement pertaining to the 2023 wildfire litigation. Thank you, Chair.

CHAIR U‘U-HODGINS: Thank you very much. And as a reminder, that was for HRS Statute, Section 92-4. Are there any questions before we move on to my recommendation...which really isn't much because this was 7(B), and was not scheduled for any legislative action. So, at this time, Members, without objection, I would now defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: KRF and SS)

ACTION: DEFER pending further discussion.

CHAIR U‘U-HODGINS: Okay. Thank you very much.

**ITEM 11(19): RESOLUTION 25-184, SETTLEMENT AUTHORIZATION:
CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL., CIVIL
2CCV-21-0000048(2)**

CHAIR U‘U-HODGINS: Now, we're going to move on to Resolution 25-184, Settlement Authorization of *Christopher Salem v. County of Maui, et al.*, Civil 2CCV-21-0000048(2), GREAT-11(19). So, Members, we have before us Resolution 25-148, which would approve the settlement of the claim, which alleges breach of contract, tortious...tortious injury, and unlawful termination, and seeks special, general, and punitive damages, and declaratory and injunctive relief. In addition to Corporation [sic] Counsel John Gores, we have with us today Special Counsel from Kobayashi Sugita & Goda, LLP, Craig Shikuma. If there are no objections, I would like to designate him as a resource persons under Rule 18(A) of the Rules of the Council for their special expertise in this situation. Again, that's our Special Counsel. No objections?

COUNCILMEMBERS: No objections.

CHAIR U‘U-HODGINS: Thank you very much. At this time, I'm going to request any opening comments. If...Mr. Gores, if you have any opening comments or, Mr. Shikuma, before we take testimony again on this item? Do you have any opening comments?

MR. GORES: Thank you, Madam Chair. We've been here before. Basically, we're here...Special Counsel is here to talk to you about Settlement Authority. The matter was originally set for trial here on June 23rd. The Court continued the trial to a date yet to be determined, and has set a settlement conference for November the 11th. We have made a Rule 68 offer of settlement, which Mr. Shikuma can explain. And Mr. Salem has made a response to that, and I will let Mr. Shikuma explain that when...in executive session. But here...he's here to discuss that situation with you.

CHAIR U‘U-HODGINS: Thank you. Mr. Shikuma, do you have any opening comments you would like to provide?

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MR. SHIKUMA: Not at this time. I'd reserve my comments for executive session.

CHAIR U'U-HODGINS: Okay. Thank you very much. Staff, do we have any testifiers before going into discussion for this item, GREAT 11(19)?

MR. PASCUAL: Chair, no individuals have signed up to testify. If anyone would like to testify, please come up to the podium or raise your hand on Teams. This is final call. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no testifiers, without objection. I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

CHAIR U'U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted.

. . . CLOSE PUBLIC TESTIMONY ON GREAT-11(19) . . .

CHAIR U'U-HODGINS: We're going to be doing a three-minute question period round for open session. So, Members, if you have any questions before we move on to executive session, please raise your hand. Member Sugimura, please go ahead?

COUNCILMEMBER SUGIMURA: If the...if you have anything you'd like to tell us in open session, and we'll reserve everything for close, but...

MR. GORES: I don't think I have anything more to add to this, other than this is basically to discuss settlement authority for purposes of the settlement conference on November the 11th and the status of where things are at, why the trial got continued, that sort of thing, so...

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U'U-HODGINS: Okay. Thank you. Members, any other questions? If not, I will do my speech, and then make a recommendation to go into executive session. Okay. Seeing none. I will entertain a motion to convene in executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liability of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to State or Federal law, or court order.

COUNCILMEMBER KAMA: So moved.

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CHAIR U‘U-HODGINS: Okay. I think that's what we have to do. That's right. So, we're going to have...give me one second...Mr. Shikuma stay with us as our Special Counsel. And that is all the attorneys we will have present besides OCS Attorney, yeah? Okay. And Mr. Kolbe will be with us as well...Deputy Corporation Counsel Kolbe. And at this time, I'm going to take a five-minute recess to reconvene in executive session. It is 3:32 p.m. See you folks in executive session meeting. Kasie will move you, please don't move yourself. Thank you. . . .*(gavel)*. . .

RECESS: 3:32 p.m.

RECONVENE: 4:01 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting please reconvene. It is 4:01 p.m. Members, we have just completed our executive session on item GREAT-11(19). And at this time ,I'm going to ask Mr. Hanano to please provide us a summary, in accordance with Hawai‘i Revised Statutes, Section 92-4. Oh, wait, mic.

MR. HANANO: Thank you, Chair. Your GREAT Committee met to discuss settlement efforts and strategies, including potential liabilities related to plaintiff's litigation pertaining to his claims that are remaining, as well as claims that were dismissed. Thank you.

CHAIR U‘U-HODGINS: Thank you very much. Any further discussion before I move onto my recommendation? Okay, seeing none. At this time, I'd like to entertain a motion to recommend the adoption of Resolution 25-184, including any nonsubstantive revisions. I have a motion made by Member --

COUNCILMEMBER SUGIMURA: So moved.

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: -- Sugimura and a second by Member Kama.

COUNCILMEMBER KAMA: Second.

CHAIR U‘U-HODGINS: Thank you. Any further discussion? Seeing none. All those in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MS. APO TAKAYAMA: Chair, that's seven "ayes," zero "noes," two excused, Members Rawlins-Fernandez and Sinenci. Motion carries.

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VOTE: **AYES:** **Chair U‘u-Hodgins, Vice-Chair Paltin, and Councilmembers Cook, Johnson, Kama, Lee, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXCUSED: **Councilmembers Rawlins-Fernandez and Sinenci.**

MOTION CARRIED.

ACTION: **Recommending ADOPTION of Resolution 25-184.**

CHAIR U‘U-HODGINS: Thank you very much. This item will move on to full Council for its consideration. At this time, this concludes this GREAT Committee meeting. Thank you very much, Members. And it is 4:02 p.m. . . .*(gavel)*. . .

ADJOURN: 4:02 p.m.

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Transcribed by: Tricia Higa

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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 18 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 28th day of October 2025, in Mililani, Hawai'i

A handwritten signature in black ink, appearing to read "Tricia Higa", is written over a horizontal line.

Tricia Higa