

July 16, 2025

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MEMO TO: GREAT-5(1) File

F R O M: Nohelani U'u-Hodgins, Chair   
Government Relations, Ethics, and Transparency Committee

SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO  
INITIAL CASE ASSESSMENT, LITIGATION COSTS ASSESSMENT,  
AND SETTLEMENT OPTIONS FROM SPECIAL COUNSEL UNDER  
RESOLUTION 25-109, CD1 (GREAT-5(1))**

The attached informational document pertains to Item 5(1) on the Committee's agenda.

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Attachment

# Resolution

No. 25-109, CD1

AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL  
MARR JONES & WANG, LLLP, IN PRE-LITIGATION NEGOTIATIONS AND  
LITIGATION REGARDING ALLEGATIONS MADE BY LEO CAIRES, A  
FORMER COUNTY OF MAUI EMPLOYEE

WHEREAS, the Council alone is authorized to retain or employ special counsel by resolution adopted by a two-thirds vote under Section 3-6(6) of the Revised Charter of the County of Maui (1983), as amended; and

WHEREAS, the Council finds that, to avoid the presence or appearance of a conflict of interest, and to the extent consistent with the Hawai'i Rules of Professional Conduct, there is a necessity and it would be in the best interest of the County of Maui to retain the firm of Marr Jones & Wang, LLLP, as special counsel to the County of Maui in pre-litigation negotiations and litigation regarding allegations made by Leo Caires, a former County of Maui employee; and

WHEREAS, special counsel must take all possible steps to minimize the level of attorneys' fees and costs; and

WHEREAS, special counsel's conduct in this matter will reflect the understanding that the County of Maui is a public entity which has obligations, concerns, and interests that may extend beyond those of a similarly situated private litigant; now, therefore,

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

1. That it authorizes the employment of Marr Jones & Wang, LLLP, as special counsel to represent the County of Maui in pre-litigation negotiations and litigation regarding allegations made by Leo Caires, a former County of Maui employee;
2. That total compensation for the employment of Marr Jones & Wang, LLLP, as special counsel must not exceed \$350,000;
3. That partner Richard Rand, Esq. will provide the bulk of the legal services in this matter;

**Resolution No. 25-109, CD1**

4. That the hourly rate for partners must not exceed \$540;
5. That the hourly rate for associates must not exceed \$345;
6. That the hourly rate for paralegal staff must not exceed \$230;
7. That the compensability of costs must be in general accord with the intent of 28 U.S.C. § 1920;
8. That Marr Jones & Wang, LLLP, must prepare and present to the Council following approval of this resolution an initial case assessment and litigation costs assessment to include settlement options;
9. That all invoices presented by Marr Jones & Wang, LLLP, to the County of Maui for payment in this matter must identify each task performed, by whom, when, and over what duration of time without any block-billing entries;
10. That compensable costs include: (a) fees for printing and witnesses; (b) fees of the clerk and marshal; (c) fees of the court reporter for necessary transcripts; (d) docket fees; (e) compensation of court-appointed experts and interpreters; and (f) travel-related expenses when pre-approved by the Department of the Corporation Counsel;
11. That non-compensable costs include: (a) telephone calls; (b) facsimile charges; (c) postal charges; (d) messenger charges; (e) fees for computerized legal research; (f) travel-related expenses not pre-approved by the Department of the Corporation Counsel; (g) investigative expenses; and (h) all other costs reasonably considered part of a law firm's overhead;
12. That in instances of travel, both inter-island and out-of-state travel include regular coach economy fare which must be pre-approved by the Department of Corporation Counsel;

**Resolution No. 25-109, CD1**

13. That the expenditures of additional funds or substantial changes to the responsibilities of the parties will require Council approval;
14. That the expenditures of additional funds or substantial changes to the Marr Jones & Wang, LLLP's staff assigned to this matter in accordance with this resolution require prior Council approval; and
15. That certified copies of this Resolution be transmitted to the Mayor, Corporation Counsel, Director of Finance, and Marr Jones & Wang, LLLP.

APPROVED AS TO FORM AND LEGALITY:



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VICTORIA J. TAKAYESU  
Department of the Corporation Counsel  
County of Maui

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INTRODUCED BY:

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

Upon the request of the Mayor.

# COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

## CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 25-109, CD1 was adopted by the Council of the County of Maui, State of Hawaii, on the 30th day of June 2025, by the following vote:

MEMBERS	Alice L. LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Tom COOK	Natalie A. KAMA	Gabriel L. JOHNSON	Tamara A. M. PALTIN	Keani N. W. RAWLINS-FERNANDEZ	Shane M. SINENCI	Nohelani U'U-HODGINS
ROLL CALL	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae	Aye 'Ae

  
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COUNTY CLERK