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MEMO TO: GREAT-19 File

F R O M: Michael J. Molina, Committee Chair



SUBJECT: **TRANSMITTAL OF REVISED LEGISLATIVE PROPOSAL  
RELATING TO BANK OF AMERICA'S COMMITMENT TO  
PROVIDE MORTGAGES TO NATIVE HAWAIIANS ON HAWAIIAN  
HOME LANDS** (GREAT-19)

The attached revised legislative proposal pertains to Item 19 on the Committee's agenda.

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Attachment

# Resolution

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

URGING THE DEPARTMENT OF THE CORPORATION  
COUNSEL TO WORK WITH SPECIAL COUNSEL TO  
FILE LEGAL CLAIMS ON THE COUNTY'S BEHALF  
UNDER RESOLUTION 20-97

WHEREAS, on July 20, 2020, the Council adopted Resolution 20-97, authorizing the employment of special counsel Bronster Fujichaku Robbins, a Law Corporation, to represent the County in litigation matters against Bank of America and other mortgage lenders for failure to fulfill loan commitments, fraudulent foreclosures, and other similar unlawful conduct; and

WHEREAS, on December 28, 2020, in the case of Bank of America, N.A., v. County of Maui, et al., Civil 1:20-CV-00310 JMS WRP, filed in response to Resolution 20-97, the United States District Court for the District of Hawaii dismissed Bank of America's lawsuit seeking to prevent the County from filing legal claims; and

WHEREAS, no legal claims have been filed on the County's behalf under Resolution 20-97, more than a year after its adoption, despite the County's legal success in Bank of America, N.A., v. County of Maui, et al.; and

WHEREAS, the Council further urges the Department of the Corporation Counsel to consult with Na Po'e Kokua attorney Bruce Jacobs of Jacobs Legal, PLLC, as appropriate, with no additional compensation by the County; now, therefore,

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

1. That the Council urges the Department of the Corporation Counsel to work with special counsel Bronster Fujichaku Robbins, a Law Corporation, as well as counsel Bruce Jacobs of Jacobs Legal, PLLC, to file legal claims on the County's behalf under Resolution 20-97; and

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

2. That certified copies of this Resolution be transmitted to the Mayor and the Corporation Counsel.

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