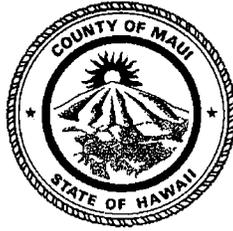


ALAN M. ARAKAWA
Mayor



PATRICK K. WONG
Corporation Counsel

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June 28, 2017

MEMORANDUM

TO: Donald S. 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)
John S. Diaz v. County of Maui
Case No. DCD 7-04-01704

RECEIVED
2017 JUN 28 AM 11:44
OFFICE OF THE
COUNTY COUNCIL

Our Department respectfully request the opportunity to present to the Committee a proposed settlement demand with regard to the above-referenced workers compensation claim in this matter.

A copy of the proposed Resolution 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 a questions or concerns, please do not hesitate to contact me.

CPR:chs
Enclosure

cc: Stewart Stant, Director
Department of Environmental Management

Resolution

No. _____

AUTHORIZING SETTLEMENT OF
JOHN S. DIAZ V. COUNTY OF MAUI,
DISABILITY COMPENSATION DIVISION CASE NO. 7-04-01704

WHEREAS, Claimant John S. Diaz filed a Workers' Compensation Claim alleging work-related injuries sustained on June 14, 2004; 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 John S. Diaz v. County of Maui, Disability Compensation Division Case No. 7-04-01704, 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 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 Environmental Management, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:

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

CALEB P. ROWE
Deputy Corporation Counsel
County of Maui