

Resolution

No. 25-120

AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL
KOBAYASHI SUGITA & GODA, LLP, TO DEFEND COUNTY OF MAUI
AUDITOR LANCE TAGUCHI IN THE MATTER OF THE MAY 8, 2025
COMPLAINT CHRISTOPHER SALEM FILED WITH THE STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

WHEREAS, the Council alone is authorized to retain or employ special counsel by resolution adopted by 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 Kobayashi Sugita & Goda, LLP ("Firm"), as special counsel to represent County of Maui Auditor Lance Taguchi, an employee of the Office of the County Auditor, in the matter of Christopher Salem's May 8, 2025 Complaint filed with the State of Hawaii Department of Commerce and Consumer Affairs; and

WHEREAS, the Firm as special counsel must take all possible steps to minimize the level of attorney's fees and costs; and

WHEREAS, the Firm's conduct in this matter shall reflect the understanding that the County of Maui is a public entity that 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 hereby authorizes the employment of Kobayashi Sugita & Goda, LLP as special counsel to represent County of Maui Auditor Lance Taguchi, an employee of the Office of the County Auditor, in the matter of Christopher Salem's May 8, 2025 Complaint filed with the State of Hawaii Department of Commerce and Consumer Affairs;
2. That total compensation for the employment of Kobayashi Sugita & Goda, LLP, as special counsel shall not exceed \$150,000;

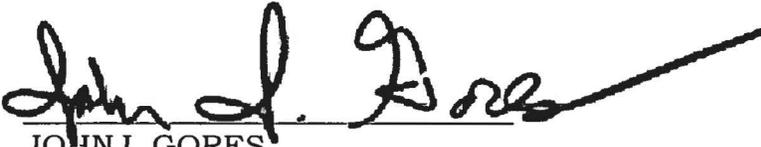
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3. That partner Craig Shikuma, Esq. shall provide the bulk of the legal services in this matter;
4. That the hourly rate for partners shall not exceed \$350;
5. That the hourly rate for associates shall not exceed \$225;
6. That the hourly rate for paralegal staff shall not exceed \$130;
7. That the compensability of costs shall be in a general accord with the intent of 28 U.S.C. § 1920;
8. That Kobayashi Sugita & Goda, LLP must initially prepare and present to Council following approval of this resolution an initial case assessment and litigation costs assessment to include settlement options;
9. That all invoices presented by Kobayashi Sugita & Goda, LLP 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 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 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 includes travel on regular coach economy fare and must be pre-approved by the Corporation Counsel;

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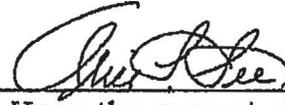
13. That the expenditure of additional funds or substantial changes to the responsibilities of the parties shall require Council approval;
14. That the expenditure of additional funds or substantial changes to the Kobayashi Sugita & Goda, LLP staff assigned to this matter in accordance with this resolution requires prior Council approval; and
15. That certified copies of this resolution be transmitted to the Mayor, the Corporation Counsel, the Director of Finance, and Kobayashi Sugita & Goda, LLP.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "John J. Gores", written over a horizontal line. The signature is cursive and extends to the right with a long, sweeping stroke.

JOHNJ. GORES
Deputy Corporation Counsel
County of Maui

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "The Mayor", written over a horizontal line.

Upon the request of the Mayor.