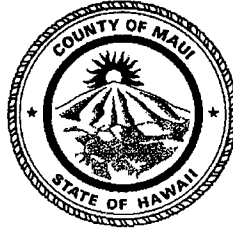


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November 4, 2016

MEMO TO: Donald S. Guzman, Chair  
Committee of the Whole

FROM: Brian A. Bilberry   
Deputy Corporation Counsel

SUBJECT: Litigation Matter – Status Update on Pending Litigation COW-1(2) - *Ocean Resort Villas Vacation Owners Association, et al. v. County of Maui, et al.*, Civil No. 13-1-0848(2)

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Our Department respectfully requests the opportunity to discuss with the Committee the litigation of the above-reference case, update on the status of document discovery to date, evidence identified by Plaintiffs as to liability to date, and to further discuss settlement proposals presented by the Plaintiffs. Trial of this matter is set for May 1, 2017. Settlement conference is set for **Friday, January 27, 2017 at 11:00 a.m.** The Department will not be requesting monetary settlement authority at this time.

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 any questions or concerns, please do not hesitate to contact me. Thank you for your anticipated assistance in this matter.

Attachment