

# Resolution

No. 24-128

## AUTHORIZING A GLOBAL SETTLEMENT OF ALL WILDFIRE LITIGATION AGAINST THE COUNTY OF MAUI COLLECTIVELY

WHEREAS, in August of 2023, several large wildfires devastated the island of Maui causing significant loss of life, immense damage to public and private property, and untold economic damage; and

WHEREAS, as of July 1, 2024, there were approximately 449 wildfire lawsuits involving a variety of claims that have been filed with the court (“Wildfire Litigation”) by approximately 2,216 affected parties (“Plaintiffs”); and

WHEREAS, the County of Maui, and Plaintiffs, to avoid incurring expenses and the uncertainty of a judicial determination of the parties’ respective rights and liabilities, will attempt to reach resolution of the Wildfire Litigation by way of a negotiated global settlement; and

WHEREAS, the Department of the Corporation Counsel has requested authority to settle the Wildfire Litigation before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding the Wildfire Litigation and being advised of attempts to reach resolution of these lawsuits by way of a negotiated global settlement by the Department of the Corporation Counsel, the Council wishes to authorize this settlement; now, therefore,

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

1. That it approves a global settlement of all Wildfire Litigation filed against the County of Maui;
2. That it authorizes the Mayor to execute a global Release and Settlement Agreement on behalf of the County in the Wildfire Litigation, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council’s settlement approval;
3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of the Wildfire Litigation, under

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terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;  
and

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



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VICTORIA J. TAKAYESU  
Corporation Counsel  
County of Maui

LF 2023-1405  
2024-07-01 Reso Auth Global Settlement of Wildfire Litigation

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Peter A. Lee". The signature is written in black ink and is positioned above a horizontal line.

Upon the request of the Mayor.