

Resolution

No. 24-73

AUTHORIZING SETTLEMENT OF TIFFANY CHAPMAN V. COUNTY OF MAUI, ET AL., CIVIL NO. 2CCV-22-0000018

WHEREAS, Plaintiff TIFFANY CHAPMAN filed a complaint in Second Circuit Court, State of Hawaii, on January 26, 2022, Civil 2CCV-22-0000018, against the County of Maui, alleging personal injury and damages from an incident that occurred while she was walking along the shoulder of Wailea Ike Drive in Kihei, Maui, Hawaii, on March 15, 2021; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of this case by way of a negotiated settlement or Offer of Judgment; and

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this case under the terms in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of

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the Corporation Counsel, the Council wishes to authorize the settlement;
now, therefore,

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

1. That it approves settlement of TIFFANY CHAPMAN V. COUNTY OF MAUI, ET AL., under the terms in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, 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 this case, under 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, the Director of Public Works, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



GLEN R. PASCUAL
Deputy Corporation Counsel
County of Maui
LIT 7764

INTRODUCED BY:

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

Upon the request of the Mayor.