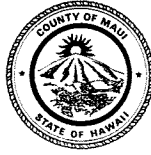


KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

August 27, 2021

Honorable Michael J. Molina, Chair
Government Relations, Ethics,
and Transparency Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Molina:

Transmitted herewith is a certified copy of Resolution No. 21-133, entitled "URGING THE DEPARTMENT OF THE CORPORATION COUNSEL TO WORK WITH SPECIAL COUNSEL TO FILE LEGAL CLAIMS ON THE COUNTY'S BEHALF UNDER RESOLUTION 20-97", which was adopted by the Council of the County of Maui on August 24, 2021. Please be informed that the resolution was amended prior to adoption.

Respectfully,

A handwritten signature in black ink that reads "Kathy L. KaoHu".

KATHY L. KAOHU
County Clerk

/lks

Enclosure

RECEIVED
AUG 27 2021
COUNTY CLERK
WAILUKU, MAUI, HI 96793

Resolution

No. 21-133

URGING THE DEPARTMENT OF THE CORPORATION
COUNSEL TO WORK WITH SPECIAL COUNSEL TO
FILE LEGAL CLAIMS ON THE COUNTY'S BEHALF
UNDER RESOLUTION 20-97

WHEREAS, on July 20, 2020, the Council adopted Resolution 20-97, authorizing the employment of special counsel Bronster Fujichaku Robbins, a Law Corporation, to represent the County in litigation matters against Bank of America and other mortgage lenders for failure to fulfill loan commitments, fraudulent foreclosures, and other similar unlawful conduct; and

WHEREAS, on December 28, 2020, in the case of Bank of America, N.A., v. County of Maui, et al., Civil 1:20-CV-00310 JMS WRP, filed in response to Resolution 20-97, the United States District Court for the District of Hawaii dismissed Bank of America's lawsuit seeking to prevent the County from filing legal claims; and

WHEREAS, no legal claims have been filed on the County's behalf under Resolution 20-97, more than a year after its adoption, despite the County's legal success in Bank of America, N.A., v. County of Maui, et al.; and

WHEREAS, the Council further urges the Department of the Corporation Counsel to consult with Na Po'e Kokua attorney Bruce Jacobs of Jacobs Legal, PLLC, as appropriate, with no additional compensation by the County; now, therefore,

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

1. That the Council urges the Department of the Corporation Counsel to work with special counsel Bronster Fujichaku Robbins, a Law Corporation, as well as counsel Bruce Jacobs of Jacobs Legal, PLLC, to file legal claims on the County's behalf under Resolution 20-97, and to support Na Po'e Kokua in its efforts to pursue justice to hold Bank of America accountable for its unfulfilled \$150 million FHA-247 commitment and its fraudulent foreclosures; and

Resolution No. 21-133

2. That certified copies of this Resolution be transmitted to the Mayor and the Corporation Counsel.

paf:ske:21-256a

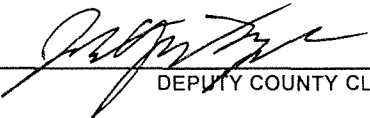
COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 21-133, was adopted by the Council of the County of Maui, State of Hawaii, on the 24th day of August, 2021, by the following vote:

MEMBERS	Alice L. LEE Chair	Keani N. W. RAWLINS-FERNANDEZ Vice-Chair	Gabriel JOHNSON	Natalie A. KAMA	Kelly T. KING	Michael J. MOLINA	Tamara A. M. PALTIN	Shane M. SINENCI	Yuki Lei K. SUGIMURA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye



 DEPUTY COUNTY CLERK