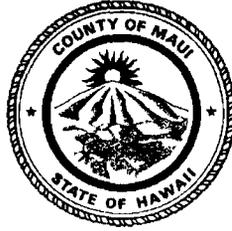


ALAN M. ARAKAWA
Mayor



PATRICK K. WONG
Corporation Counsel

EDWARD S. KUSHI
First Deputy

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DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
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OFFICE OF THE
COUNTY COUNCIL

2016 JAN 26 PM 2:13

RECEIVED

January 26, 2016

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

FROM: Brian A. Bilberry 
Deputy Corporation Counsel

SUBJECT: Litigation Matter – Status Update and Upcoming Settlement Conference on Pending Litigation COW-5, *Salem v. Alan Arakawa, et al.*, Civil No. CV 00384
LEK-KSC

Our Department respectfully requests the opportunity to present a resolution regarding an increase in funding related to employment of special counsel for Defendants Alan Arakawa, Pat Wong, Keith Regan, David Goode, Milton Arakawa, John Min, William Spence, and Jeffrey Hunt as named “individually” in the above-caption litigation.

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

Resolution

No. _____

AUTHORIZING AN INCREASE IN COMPENSATION RELATED TO
THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA,
LLP, IN CHRISTOPHER SALEM V. ALAN ARAKAWA, ET AL., CIVIL NO. CV 15-
00384 LEK-KSC, UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF HAWAII

WHEREAS, by Resolution No. 15-135, the Council authorized the employment of special counsel KOBAYASHI SUGITA & GODA, LLP ("special counsel") to represent Alan Arakawa, Pat Wong, Keith Regan, David Goode, Milton Arakawa, John Min, William Spence, and Jeffrey Hunt as sued "individually" in *Christopher Salem v. Alan Arakawa, et al.*; and

WHEREAS, the Department of the Corporation Counsel has requested authorization to raise the compensation limit for the employment of special counsel by an additional \$75,000, for discovery, depositions, and pretrial motions in this case, for a total compensation not exceeding \$125,000; now, therefore,

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

1. That the Council hereby approves and authorizes an increase in compensation for the employment of special counsel Kobayashi Sugita & Goda, LLP to represent the "individually" named Defendants in this case by \$75,000, for a total compensation not exceeding \$125,000; and

Resolution No. _____

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

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'B. Bilberry', is written over a horizontal line.

BRIAN A. BILBERRY
Deputy Corporation Counsel
County of Maui