

# Resolution

No. 23-227

AUTHORIZING SETTLEMENT OF  
CHRISTOPHER SALEM VS. COUNTY OF MAUI, ET AL.,  
CIVIL NO. 2CCV-21-0000048(2)

WHEREAS, Christopher Salem filed a lawsuit in the Circuit Court of the Second Circuit in the State of Hawaii on February 18, 2021, Civil No. 2CCV-21-0000048(2) ("Case"), and a First Amended Complaint on November 9, 2021, against the County of Maui, Michael P. Victorino, individually and in his official capacity, and Michele McLean, in her official capacity as Director of the Department of Planning, claiming breach of contract, tortious injury, and unlawful termination, and seeking special, general, and punitive damages; and

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

WHEREAS, the Court has scheduled a Settlement Conference in the Case for January 19, 2024; and

WHEREAS, special counsel employed to represent the County in the Case, Kobayashi Sugita & Goda, LLP, has requested settlement authority under the terms established in an executive meeting of the Council; and

**Resolution No. 23-227**

WHEREAS, having reviewed the facts and circumstances regarding the Case, and being advised of attempts to reach resolution by way of a negotiated settlement or Offer of Judgment by special counsel Kobayashi Sugita & Goda, LLP, the Council wishes to authorize settlement; now, therefore,

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

1. That it approves settlement of Christopher Salem vs. County of Maui, et. al., Civil No. 2CCV-21-0000048(2), under the terms established in an executive meeting of the Council;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County;
3. That it authorizes the Director of Finance of the County of Maui, following receipt of the fully executed Release and Settlement Agreement, to pay the negotiated settlement amount; and
4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

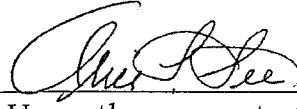
APPROVED AS TO FORM AND LEGALITY:



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CRAIG K. SHIKUMA  
STEPHEN G.K. KANESHIRO  
KOBAYASHI SUGITA & GODA, LLP  
Special Counsel for the County of Maui

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Sheri Lee", is written above a horizontal line.

Upon the request of the Mayor.