

BF Committee

From: shawn A. Luiz <attorneyluiz@gmail.com>
Sent: Tuesday, October 16, 2018 1:12 AM
To: mayors.office@mauicounty.us
Cc: Alika A. Atay; Riki Hokama; BF Committee; Mike White; Stacy S. Crivello; Yukilei Sugimura; Robert Carroll; Troy Hashimoto; sandy.baz@mauicounty.us; Greg J. Garneau; Traci N. T. Fujita; Carla Nakata; Maggie C. Clark; Bruce S. Hashimoto; teena.rasmussen@co.maui.hi.us; Jeremiah.Savage@co.maui.hi.us; Patrick Wong; Gary.Murai@co.maui.hi.us; Maria E. Zielinski; Edward.Kushi@co.maui.hi.us; Kelly King; Elle Cochran; Donald S. Guzman
Subject: Councilmember Alika Atay, Trinette Furtado and Brian Bardelini
Attachments: Councilman Atay letter to Maui Officials October 15,2018.pdf

Dear Mayor Arakawa and Maui County Council,

Please see attached letter regarding my clients, Councilmember Alika Atay, Trinette Furtado and Brian Bardelini.

Regards,
Shawn A. Luiz

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October 15, 2018

Via email to mayors.office@mauicounty.us

Honorable Alan Arakawa, Mayor
and Maui County Council
200 S. High Street
Kalana O Maui Bldg
Wailuku, HI 96793

Re: Councilmember Alika Atay, Trinette Furtado and Brian Bardelini

Dear Mayor Arakawa and Maui County Council:

The undersigned is retained to represent Councilmember Alika Atay, Trinette Furtado and Brian Bardelini who were denied conflict counsel to represent their interests in upholding the public trust. My clients reserve the right to seek appropriate means of redress, including without limitation, potential claims for injunctive relief and reimbursement for attorney's fees and costs incurred due to denial for request of conflict counsel.

It appears a media firestorm has resulted from the alleged interactions between my clients and other council members and/or staff. Due to the serious nature of the allegations raised against my clients and vice versa, it would be in everyone's best interests to maintain status quo and carry discussions that involve highly sensitive alleged misconduct of government officials in executive session rather than aired in the public. That said, this letter puts the County of Maui on notice that my clients reserve the right to seek appropriate redress for any torts committed against them to date and in the future, including but not limited to slander, libel, invasion of privacy, etc.

Based on the information provided by my clients, a thorough investigation is in order and to be conducted as soon as possible regarding the County of Maui's fiduciary duty to properly spend public funds that the public has entrusted to the County. If you have any evidence that disputes the claims put forth, I would request you forward such evidence immediately for consideration of possible defenses of my clients' potential claims.

Letter of October 15, 2018; Honorable Alan Arakawa, Mayor and Maui County Council

My clients request that several council members and government officials be investigated for misconduct and politically motivated retaliation. I urge all government officials and their staff to cease and desist from using the news as a vehicle to spread false and defamatory statements regarding my clients. The County is now officially on notice for potential liability that could result in tort claims.

If you have any questions, please contact me at (808) 538-0500.

Very truly yours, /s/
Shawn A. Luiz, Esq.
Shawn A. Luiz, Esq.

cc: Councilmember Alika Atay, Trinette Furtado and Brian Bardelini
Councilmember Riki Hokama (via email to riki.hokama@mauicounty.us)
Budget and Finance Committee Staff (via email to BF.Committee@mauicounty.us)
Councilmember Mike White (via email to mike.white@mauicounty.us)
Councilmember Stacy Crivello (via email to Stacy.Crivello@mauicounty.us)
Councilmember Yuki Sugimura (via email to yukilei.sugimura@mauicounty.us)
Councilmember Bob Carroll (via email to robert.carroll@mauicounty.us)
Troy Hashimoto, House Rep (via email to Troy.Hashimoto@mauicounty.us)
Sandy Baz, Budget Director (via email to sandy.baz@mauicounty.us)
Greg Garneau (via email to Greg.Garneau@mauicounty.us)
Traci Fujita (via email to Traci.Fujita@mauicounty.us)
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