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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: GREAT-19 File

F R O M: Michael J. Molina, Chair 
Government Relations, Ethics, and Transparency Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
BANK OF AMERICA'S COMMITMENT TO PROVIDE MORTGAGES
FOR NATIVE HAWAIIANS ON HAWAIIAN HOME LANDS**
(GREAT-19)

The attached legislative proposal pertains to Item 19 on the Committee's agenda.

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Attachment

Resolution

No. _____

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 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.; 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 to file legal claims on the County's behalf under Resolution 20-97; and
2. That certified copies of this Resolution be transmitted to the Mayor and the Corporation Counsel.