

Resolution

No. 25-116

AUTHORIZING SETTLEMENT OF FIRST FIRE AND CASUALTY INSURANCE OF HAWAII, INC. v. COUNTY OF MAUI, ET AL.; CIVIL FILE: 2CCV-24-0001055

WHEREAS, Plaintiff First Fire and Casualty Insurance of Hawaii, Inc. filed a Complaint on December 17, 2024, in the Second Circuit Court, State of Hawai'i, Civil File 2CCV-24-0001055 against the County of Maui alleging claims of negligence, respondeat superior and vicarious liability regarding an incident that occurred on December 19, 2022;

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

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this case under the terms presented in an executive meeting before the Government Relations, Ethics, and Transparency Committee; and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach resolution of this case by way of a negotiated settlement or Offer of Judgment by the Department of the Corporation Counsel, the Council wishes to authorize the settlement; now, therefore,

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

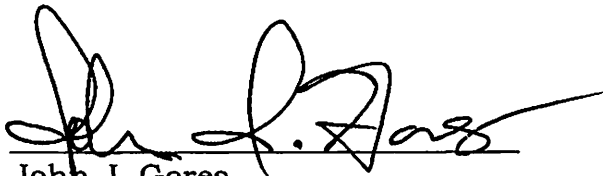
1. That under Maui County Code Section 3.16.20, it approves settlement of First Fire and Casualty Insurance of Hawaii, Inc. v. County of Maui, et. al., Civil File 2CCV-24-0001055, under the terms discussed in an executive meeting before its Government Relations, Ethics, and Transparency Committee;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of MPD in this case, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;
3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of this case, under terms and

Resolution No. 25-116

conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval; and

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of the Department of Public Works, and the Department of the Corporation Counsel.


APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "John J. Gores", written over a horizontal line.

John J. Gores
Deputy Corporation Counsel
County of Maui

RISK - 2023 -0956

INTRODUCED BY:

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

Upon the request of the Mayor.