

# Resolution

No. 22-95

AUTHORIZING SETTLEMENT OF CLAIM NO. 4073176  
OF FIRST INSURANCE COMPANY OF HAWAII, LTD.  
ON BEHALF OF ITS INSURED ANITA MOSUELA

WHEREAS, First Insurance Company of Hawaii, Ltd., filed Claim No. 4073176 on November 1, 2021, against the County of Maui for damages to Anita Mosuela's vehicle resulting from a collision involving a County of Maui fleet vehicle at the intersection of Lahainaluna Road and Mill Street, Lahaina, Maui, Hawaii on July 21, 2021; and

WHEREAS, Anita Mosuela is insured for such damage by First Insurance Company of Hawaii, Ltd.; and

WHEREAS, First Insurance Company of Hawaii, Ltd., as subrogee of this claim, has alleged that the County of Maui is liable for the expense paid by First Insurance Company of Hawaii, Ltd.; and

WHEREAS, the County of Maui and First Insurance Company of Hawaii, Ltd., to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, have reached a proposed resolution of this claim by way of negotiated settlement, and

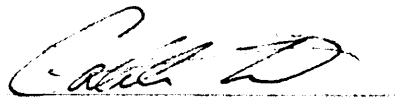
WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this claim by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement; now, therefore,

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

1. That it hereby approves settlement of Claim No. 4073176 in the amount of Eleven Thousand Seven Hundred Thirty-Nine and 62/100 Dollars (\$11,739.62); and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release of Property Damage Claim" by First Insurance Company of Hawaii, Ltd.; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM  
AND LEGALITY:



CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui  
RISK 2021-0523

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INTRODUCED BY:

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

Upon the request of the Mayor.