

# REQUEST FOR LEGAL SERVICES

**Date:** June 8, 2022  
**From:** Michael J. Molina, Chair  
Government Relations, Ethics, and Transparency Committee

TRANSMITTAL


**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Glen Pascual, Esq.

**Subject:** SETTLEMENT AUTHORIZATION: 21ST CENTURY INSURANCE COMPANY ON BEHALF OF ITS INSURED ABDEN AND DELIA CORPUZ; CLAIM 4067839 (MOTOR VEHICLE ACCIDENT) (GREAT-11(11))

**Background Data:** Please submit a revised resolution to correct the dollar amount to \$11,676.66, consistent with the deductible amount in the claim.

In the first BE IT RESOLVED paragraph, amend it to read: "That it hereby approves settlement of Claim No. 4067839 in the amount of ELEVEN THOUSAND SIX HUNDRED SIXTY SEVEN SEVENTY-SIX AND 66/100 DOLLARS (\$11,667.66 \$11,676.66); and".

**Work Requested:** ☒ [X] FOR APPROVAL AS TO FORM AND LEGALITY  
☐ [ ] OTHER:

Requestor's signature  Michael J. Molina	Contact Person <u>James Forrest, Legislative Attorney</u> (Telephone Extension: <u>7137</u> )
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☐ [ ] ROUTINE (WITHIN 15 WORKING DAYS) ☐ [ ] RUSH (WITHIN 5 WORKING DAYS)  
☐ [ ] PRIORITY (WITHIN 10 WORKING DAYS) ☐ [ ] URGENT (WITHIN 3 WORKING DAYS)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): June 9, 2022

REASON: For posting on the June 21, 2022, Council agenda.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: CPR	ASSIGNMENT NO. RISK 2020-0271	BY: CHS
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TO REQUESTOR: ☐ [ ] APPROVED ☐ [ ] DISAPPROVED ☒ [X] OTHER (SEE COMMENTS BELOW)  
☐ [ ] RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): Error on reso  
Corrected

Date 6/8/22 By   
DEPARTMENT OF THE CORPORATION COUNSEL

great:ltr:011(11)acc01:jbf

(Rev. 7/03)

Attachment

# Resolution

No. \_\_\_\_\_

AUTHORIZING SETTLEMENT OF CLAIM NO. 4067839  
OF 21<sup>st</sup> CENTURY INSURANCE COMPANY ON BEHALF OF ITS INSURED  
ABDEN AND DELIA CORPUZ

WHEREAS, 21<sup>st</sup> Century Insurance Company, filed Claim No. 4067839 on March 29, 2021, against the County of Maui for damages to their vehicle resulting from a collision involving a Maui County fleet vehicle on October 21, 2020; and

WHEREAS, Abden and Delia Corpuz are insured for such damage by 21<sup>st</sup> Century Insurance Company; and

WHEREAS, 21<sup>st</sup> Century Insurance Company, as subrogee of this claim, has alleged that the County of Maui is liable for the expenses paid by 21<sup>st</sup> Century Insurance Company; and

WHEREAS, the County of Maui and 21<sup>st</sup> Century Insurance Company, 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 a 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,

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

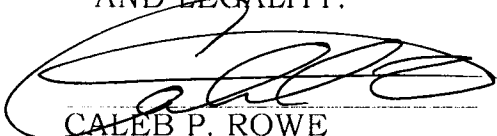
**Resolution No. \_\_\_\_\_**

1. That it hereby approves settlement of Claim No. 4067839 in the amount of ELEVEN THOUSAND SIX HUNDRED SEVENTY-SIX AND 66/100 DOLLARS (\$11,676.66); and

2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release of Property Damage Claim" by 21<sup>st</sup> Century Insurance Company; and

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

APPROVED AS TO FORM  
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Caleb P. Rowe', is written over a horizontal dashed line.

CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui  
RISK 2020-0271