

Resolution

No. 22-161

AUTHORIZING SETTLEMENT OF RONDA SMYTHE AND LIANA P. KANNO V. BRANDON SAFFEELS, ET AL., CASE CV 21-00056 LEK-RT AND ALISHA N.K. CONSTANTINO V. BRANDON SAFFEELS, ET AL., CASE CV 21-00316 LEK-RT

WHEREAS, Plaintiffs Ronda Smythe and Liana P. Kanno filed a complaint in the Circuit Court of the Second Circuit for the State of Hawaii on August 6, 2020 and was removed to the United States District Court for the District of Hawaii, Civil No. 21-00056 LEK-RT;

WHEREAS, Plaintiff Alisha N.K. Constantino filed a complaint in the United States District Court for the District of Hawaii, Civil No. 21-00316 LEK-RT;

WHEREAS, the Plaintiffs, in their respective cases, allege various acts of misconduct committed by former police officer Brandon Saffeels and further brings claims against the County of Maui for an alleged failure to train and supervise former officer Saffeels;

WHEREAS, the above referenced cases are substantially similar and have been consolidated for the purposes of pretrial proceedings and discovery;

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


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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 it approves settlement of the above identified cases;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case;
3. That it authorizes the Director of Finance to satisfy said settlement of this case; and
4. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



KEOLA R. WHITTAKER
Deputy Corporation Counsel
County of Maui
LIT 6731
LIT 6204

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INTRODUCED BY:

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

Upon the request of the Mayor.