

# Resolution

No. 23-83

AUTHORIZING SETTLEMENT OF GEOFFREY E. WITTMER, ET AL.  
v. COUNTY OF MAUI, ET AL., CIVIL 19-1-0198 (1)

WHEREAS, Geoffrey E. Wittmer, as the Special Administrator for the Estate of Eric G. Wittmer, filed a lawsuit in the Second Circuit Court of the State of Hawaii on April 9, 2020, Civil 19-1-0198 (1), against the County of Maui and County of Maui Police Department, for alleged Wrongful Death; and

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 set forth in an executive meeting before the Governance 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,

**Resolution No. 23-83**

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

1. That it approves settlement of this case under the terms set forth in an executive meeting before the Governance, Ethics, and Transparency Committee;
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, the Chief of Police, and the Corporation Counsel.

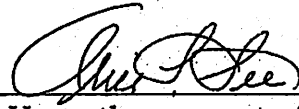
APPROVED AS TO FORM  
AND LEGALITY:



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BRIAN A. BILBERRY  
Deputy Corporation Counsel  
County of Maui  
LIT-6066

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "James R. Lee". The signature is written in black ink and is positioned above a horizontal line.

Upon the request of the Mayor.