# Resolution

**No. 26-81**

*AUTHORIZING SETTLEMENT OF CHARLOTTE MARTIN vs. COUNTY OF MAUI, ET AL.;* CIVIL CASE 2CCV-24-0000903.

WHEREAS, Plaintiff Charlotte Martin ("Plaintiff"), filed a Complaint on September 26, 2024 in the Second Circuit Court, State of Hawaii, Civil Case 2CCV-24-0000903 against the County of Maui ("County") alleging claims of negligence and respondeat superior or vicarious liability against the County arising from an incident between Martin and a motor vehicle driven by Maui Police Department Officer Mitchell Navarro that occurred on February 5, 2023 within the parking lot area of Kepaniwai Park in Wailuku, Maui, Hawaii; and

WHEREAS, Plaintiff recently made her first settlement demand to the Department of Corporation Counsel;

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 it approves settlement of Charlotte Martin vs. County of Maui, et al.; Civil Case 2CCV-24-0000903, under the terms discussed in an executive meeting before the Government Relations, 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, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;

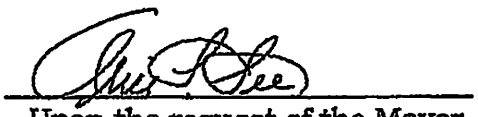
3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of this case, under terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval; and

4. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, The Chief of Police of the Maui Police Department, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:

GLEN R. PASCUAL
Deputy Corporation Counsel
County of Maui
LF-7802

INTRODUCED BY:



Upon the request of the Mayor.