Resolution

No. 26-122

AUTHORIZING SETTLEMENT OF *BAO NGOC TRAN vs. COUNTY OF MAUI; ET AL.;* CIVIL CASE 2CCV-24-0000844

WHEREAS, Plaintiff Bao Ngoc Tran, filed a Complaint on August 21, 2024, in the Second Circuit Court, State of Hawaii, Civil Case 2CCV-24-0000844 against the County of Maui alleging claims of negligence arising from an incident that occurred on September 19, 2022; 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 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 under Section 3.16.020, Maui County Code, it approves settlement of *Bao Ngoc Tran vs. County of Maui, et al.*; Civil Case 2CCV-24-0000844, under the terms discussed in an executive meeting before the Government Relations, Ethics, and Transparency Committee;

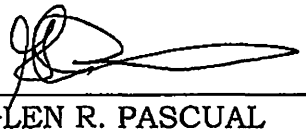
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this case, under the terms and conditions as may be imposed by the

Corporation Counsel consistent with the Council's settlement approval;

3. That it authorizes the Director of Finance 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

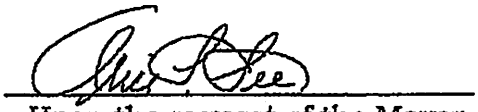
4. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Director of Parks and Recreation, and Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY:



GLEN R. PASCUAL
Deputy Corporation Counsel
County of Maui
LF-8711
2026-07-07 Reso Tran Settlement Authority

INTRODUCED BY:



Upon the request of the Mayor.