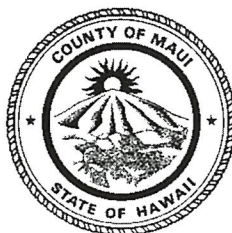


MICHAEL P. VICTORINO
Mayor

MOANA M. LUTEY
Corporation Counsel

EDWARD S. KUSHI, JR.
First Deputy

LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761



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2019 AUG 22 PM 4:13

OFFICE OF THE
COUNTY COUNCIL

DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808) 270-7740
FACSIMILE: (808) 270-7152

August 22, 2019

MEMO TO: Michael J. Molina, Chair
Governance, Ethics and Transparency Committee

FROM: Caleb P. Rowe, Deputy Corporation Counsel 

SUBJECT: Litigation Matters
Settlement of Claim: Timothy C. Galbraith
Case No.: 7-11-00877

Pursuant to Section 3.16.020B of the Maui County Code, our department hereby requests the opportunity to present to the Committee a proposed settlement demand with regard to the above-referenced workers compensation claim in this matter.

It is anticipated that an executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee. There is no immediate deadline to this matter.

A copy of the proposed resolution is enclosed. We request that a representative from the Department of Water Supply be in attendance during discussion of this matter. If you have any questions, or concerns, please do not hesitate to contact me.

CPR:cs
Enclosures

cc: Jeffrey Pearson, Director
Department of Water Supply

Resolution

No. _____

AUTHORIZING SETTLEMENT OF
TIMOTHY C. GALBRAITH V. COUNTY OF MAUI,
DISABILITY COMPENSATION DIVISION
CASE NO. 7-11-00877

WHEREAS, Claimant Timothy C. Galbraith filed a Workers' Compensation Claim alleging work-related injuries sustained on May 2, 2011; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of the proposed settlement by the Department of the Corporation Counsel, the Council wishes to authorize the settlement of the Workers' Compensation Claim under the terms and conditions proposed in an executive meeting before the Governance, Ethics, and Transparency Committee; now therefore,

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

1. That it hereby approves settlement of Timothy C. Galbraith v. County of Maui, Disability Compensation Division Case Nos. 7-11-00877 under the terms set forth in an executive meeting before the Governance, Ethics, and Transparency Committee; and

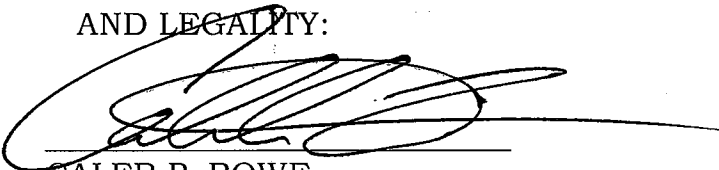
2. That it hereby authorizes the Mayor to execute a Stipulation and Settlement Agreement on behalf of the County in this case; and

Resolution No. _____

3. That payment is authorized to satisfy this settlement following approval of the Stipulation and Settlement Agreement by the Department of Labor and Industrial Relations, State of Hawaii; and

4. That certified copies of this resolution be transmitted to the Mayor; the Director of Finance; the Director of Water Supply; and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui
RiskConvWC-146