



The County of Maui

Council Chamber
200 South High Street, 8th
Floor
Wailuku, Hawaii 96793

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Title: LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION: JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY V. COUNTY OF MAUI, ET AL., CIVIL 18-1-0234(2)) (GET-11(3))

Sponsors:

Indexes:

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Attachments: 1. County Communication 19-29, 2. Correspondence from Corporation Counsel 02-25-2019, 3. Correspondence from Corporation Counsel 06-27-2019

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LITIGATION MATTERS (STATUS AND SETTLEMENT AUTHORIZATION: JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY V. COUNTY OF MAUI, ET AL., CIVIL 18-1-0234(2)) (GET-11(3))

The Committee is in receipt of the following:

1. Correspondence dated February 25, 2019, from the Department of the Corporation Counsel, requesting the opportunity to provide a status update on Jacob Firth and Elva Marie Espinosa Brumblay v. County of Maui, et al., Civil 18-1-0234(2), and consideration of a proposed resolution to authorize settlement of the case, and transmitting a copy of the complaint. The complaint alleges negligence by the County and the State of Hawaii while Plaintiff Jacob Firth was in their custody during the period of February 21, 2018 to February 22, 2018, resulting in injuries and damages to Mr. Firth, as well as loss of companionship for Jacob Firth’s mother, Elva Marie Espinosa Brumblay.
2. Correspondence dated June 27, 2019, from the Department of the Corporation Counsel, requesting the opportunity to provide a pretrial status report and transmitting a revised proposed resolution, entitled “AUTHORIZING SETTLEMENT OF JACOB FIRTH AND ELVA MARIE ESPINOSA BRUMBLAY v. COUNTY OF MAUI, ET AL., CIVIL NO. 18-1-0234(2),” and another copy of the complaint. The purpose of the revised proposed resolution is to authorize settlement of the case.

The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without further revisions. The Committee may also consider the filing of the correspondence and other related action.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawaii Revised Statutes, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to

a State or Federal law, or a court order.