



Legislation Details (With Text)

File #: GREAT-11(16) Reso 23-88 **Version:** 2

Type: Resolution **Status:** Agenda Ready

File created: 3/13/2023 **In control:** Government Relations, Ethics, and Transparency Committee (2023-2025)

On agenda: 5/22/2023 **Final action:**

Title: LITIGATION MATTERS (RESOLUTION 23-88, RELATING TO SETTLEMENT AUTHORIZATION: ONO GELATO OF PAIA, LLC, A HAWAI‘I LIMITED LIABILITY COMPANY V. COUNTY OF MAUI; CIVIL 2CCV-22-0000258) (GREAT-11(16))

Sponsors: Council of the County of Maui

Indexes:

Code sections:

Attachments: 1. Resolution 23-88, 2. Correspondence from Corporation Counsel 02-14-2023, 3. Correspondence to Corporation Counsel 05-26-2023, 4. Correspondence from Corporation Counsel 05-28-2023

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

LITIGATION MATTERS (RESOLUTION 23-88, RELATING TO SETTLEMENT AUTHORIZATION: ONO GELATO OF PAIA, LLC, A HAWAI‘I LIMITED LIABILITY COMPANY V. COUNTY OF MAUI; CIVIL 2CCV-22-0000258) (GREAT-11(16))

The Committee is in receipt of the following:

- Resolution 23-88, entitled “AUTHORIZING SETTLEMENT OF ONO GELATO OF PAIA, LLC, A HAWAI‘I LIMITED LIABILITY COMPANY v. COUNTY OF MAUI, CIVIL 2CCV-22-0000258.” Resolution 23-88’s purpose is to authorize settlement of the claim, filed on November 4, 2022. The claim alleges negligent misrepresentation and nondisclosure, tortious interference with business relations, violation of due process and equal protection, and unequal enforcement of law. The lawsuit also seeks to recover economic losses located at 115 Hāna Highway, Unit D, Pā‘ia, Maui, Hawai‘i.
- Correspondence dated February 14, 2023, from the Department of the Corporation Counsel, with a copy of the claim.

The Committee may consider whether to recommend adoption of Resolution 23-88, with or without revisions. The Committee may also consider the filing of Resolution 23-88 and other related action.

With reference to this agenda item, one or more executive meetings are anticipated in accordance with Section 92-5(a)(4), Hawai‘i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, immunities, and liabilities of the County, the Council, and the Committee; and Section 92-5(a)(8), Hawai‘i 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.