



The County of Maui

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

Legislation Details (With Text)

File #: PRL-1(32) **Version:** 6

Type: Direct Referral **Status:** Agenda Ready

File created: 7/28/2017 **In control:** Parks, Recreation, Energy, and Legal Affairs Committee

On agenda: 11/13/2018 **Final action:**

Title: LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION AND SETTLEMENT AUTHORIZATION: DAVID TAYLOR V. ALAN ARAKAWA, ET AL.; CIVIL 18-1-0056(1)) (PRL-1(32))

Sponsors:

Indexes:

Code sections:

Attachments: 1. County Communication 17-6, 2. Correspondence from Corporation Counsel 02-07-2018, 3. Correspondence from Council Chair 02-09-2018, 4. Correspondence from Corporation Counsel 02-13-2018, 5. Correspondence from Corporation Counsel 02-23-2018, 6. Correspondence from Corporation Counsel 03-23-2018, 7. Correspondence from Corporation Counsel 06-01-2018, 8. Correspondence from Prosecuting Attorney to Mayor 01-23-2018

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

LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION AND SETTLEMENT AUTHORIZATION: DAVID TAYLOR V. ALAN ARAKAWA, ET AL.; CIVIL 18-1-0056(1)) (PRL-1(32))

The Committee is in receipt of correspondence dated February 7, 2018, from the Department of the Corporation Counsel, requesting consideration of the following:

1. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL COX FRICKE LLP IN DAVID TAYLOR V. ALAN ARAKAWA, ET AL.; CIVIL NO. 18-1-0056(1)." The purpose of the proposed resolution is to authorize the employment of Cox Fricke LLP as special counsel to represent Alan Arakawa, who has been identified as a Defendant in his individual capacity, in David Taylor v. Alan Arakawa, et al., Civil 18-1-0056(1), for a total compensation not to exceed \$75,000, along with a copy of the Complaint. The Complaint, filed January 30, 2018, alleges David Taylor was removed from his position as Director of Water Supply starting as early as November 15, 2017, in violation of the Revised Charter of the County of Maui (1983), as amended; wrongful termination in violation of his due process rights under the Hawaii Constitution; misuse of his professional engineering license, in violation of the Hawaii Revised Statutes; and defamation, slander per se, and intentional infliction of emotional distress, among other things.
2. A proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI, SUGITA & GODA, LLP IN DAVID TAYLOR V. ALAN ARAKAWA, ET AL.; CIVIL NO. 18-1-0056(1)." The purpose of the proposed resolution is to authorize the employment of Kobayashi, Sugita & Goda, LLP as special counsel to represent the County of Maui and Alan Arakawa in his capacity as the Mayor of the County of Maui, who have been identified as Defendants, in David Taylor v. Alan Arakawa, et al., Civil 18-1-0056(1), for a total compensation not to exceed \$75,000.

The Committee may consider whether to recommend the filing of the correspondence transmitting the proposed resolutions noted above, disposing of all requests for the employment of special counsel in this case, because the case has concluded.