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**Title:** LITIGATION MATTERS (SPECIAL COUNSEL ADDITIONAL COMPENSATION: HARRY DONENFELD V. COUNTY OF MAUI, ET AL.; CIVIL 16-00381 DKW-KJM) (PRL-1(24))

**Sponsors:**

**Indexes:**

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**Attachments:** 1. County Communication 17-6, 2. Correspondence from Corporation Counsel 09-12-2017, 3. Correspondence from Corporation Counsel 10-11-2017, 4. Committee Report 17-130, 5. Correspondence from Corporation Counsel 01-09-2018

Date	Ver.	Action By	Action	Result
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**LITIGATION MATTERS (SPECIAL COUNSEL ADDITIONAL COMPENSATION: HARRY DONENFELD V. COUNTY OF MAUI, ET AL.; CIVIL 16-00381 DKW-KJM) (PRL-1(24))**

The Committee is in receipt of the following:

1. Correspondence dated September 12, 2017, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution to authorize an increase in compensation for special counsel Kobayashi Sugita & Goda, LLP by \$75,000 for trial preparation and trial of the case, for a total compensation not to exceed \$150,000, and transmitting a copy of the complaint. The First Amended Complaint alleges Harry Donenfeld was terminated as the Maui County Film Commissioner in violation of his due process rights under the United States and Hawaii Constitutions, breach of contract, defamation, and violations of statutory privacy interests, among other things.
2. Correspondence dated January 9, 2018, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "AUTHORIZING AN INCREASE IN COMPENSATION RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL KOBAYASHI SUGITA & GODA, LLP IN HARRY DONENFELD v. COUNTY OF MAUI, ET AL., USDC CIVIL NO. 16-00381 DKW-KJM." The purpose of the revised proposed resolution is to authorize an increase in compensation for special counsel Kobayashi Sugita & Goda, LLP by \$21,815.33 for payment of special counsel's final billing for the case, for a total compensation not exceeding \$96,815.33.

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 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.