



The County of Maui

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

Legislation Text

File #: PRL-1(20)1, Version: 1

LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION:** HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, DOCKET 15-17447, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT (PRL-1(20)))**

The Committee is in receipt of correspondence dated July 27, 2017, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING AN INCREASE IN FUNDING RELATED TO THE EMPLOYMENT OF SPECIAL COUNSEL HUNTON & WILLIAMS LLP, IN HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, DOCKET NO. 15-17447, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT." The First Amended Complaint in the case alleged violations of the Federal Water Pollution Control Act, also known as the "Clean Water Act," and other laws, arising out of the County's operation of injection wells at the Lahaina Wastewater Reclamation Facility. The purpose of the proposed resolution is to authorize \$150,000 in additional compensation for special counsel Hunton & Williams LLP for the appeal in Hawaii Wildlife Fund, et al. v. County of Maui, Docket 15-17447, United States Court of Appeals for the Ninth Circuit, for a total compensation not to exceed \$3,550,000 (designated Civil 12-00198 SOM -BMK before the United States District Court, District of Hawaii).

The Committee may consider whether to recommend adoption of the proposed resolution, with or without 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.