



The County of Maui

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

Legislation Details (With Text)

File #: GREAT-11(20) Reso 22-102 **Version:** 2

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On agenda: 5/31/2022 **Final action:**

Title: LITIGATION MATTERS (RESOLUTION 22-102, RELATING TO SETTLEMENT AUTHORIZATION: ROBERT TURNER V. WAIIAHIWI GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)) (GREAT-11(20))

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 22-102, 2. Correspondence from County Clerk 04-25-2022

Date	Ver.	Action By	Action	Result
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LITIGATION MATTERS (RESOLUTION 22-102, RELATING TO SETTLEMENT AUTHORIZATION: ROBERT TURNER V. WAIIAHIWI GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)) (GREAT-11(20))

The Committee is in receipt of the following:

1. Resolution 22-102, entitled "AUTHORIZING SETTLEMENT OF ROBERT TURNER V. WAIIAHIWI GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)." Resolution 22-102's purpose is to authorize settlement of the claim, filed on June 4, 2018.
2. Correspondence dated April 25, 2022, from the County Clerk, with a letter from the Department of the Corporation Counsel, dated April 13, 2022, transmitting a copy of the claim. The claim alleges personal injury from an incident involving a fallen eucalyptus tree that landed on the Plaintiff's motor vehicle traveling on Pi'iholo Road in Makawao, Maui, Hawai'i, on April 30, 2017. The claim further alleges that the County of Maui owned and maintained Pi'iholo Road and was negligent in: (1) creating a drainage ditch on Waiahiwi Gulch Land Company LLC's property to evacuate water off of Pi'iholo Road; and (2) cutting down trees near the subject tree, which compromised the stability of the subject tree, causing it to fall.

The Committee may consider whether to recommend adoption of Resolution 22-102, with or without revisions. The Committee may also consider the filing of Resolution 22-102 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), Hawaii 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.