

**REQUEST TO ACCESS A GOVERNMENT RECORD
Final Billing Statement**

Date: 10/15/2020

Requestor: R. Brian Black

Final Costs:

Fees:	Search	Time: 16	Hours	<u>160.00</u>
			(\$2.50 for each 15 minute period)	
	Review & Segregation	Time: 20.1	Hours	<u>402.00</u>
			(\$5.00 for each 15 minute period)	

Fees waived (60.00)

Costs: Copying # of pages: _____
(\$.50 for 1st page and \$.25 per page thereafter)

Delivery Postage: _____

Total Costs 502.00

Prepayment: _____

Balance Due: 502.00

Payable to: City & County of Honolulu, 530 S King St, Room 110, Honolulu, HI 96813

1. Publicly available data within any set of data that includes amounts paid to special counsel from 2015 to present. If there is more than one dataset that includes the information, I am willing to modify and narrow this request once I understand what information is available.

Please see attached copy of COR's check register for the periods January 6, 2015 to January 16, 2020. This report includes all disbursements made by COR including highlighted amounts paid to Special Counsel.

2. Documents sufficient to identify counsel employed from 2015 to present based on determinations by the Honolulu Police Commission or a court pursuant to HRS 52D-8.

A listing of the counsel employed by the City from 2015 to present based on determinations by the Honolulu Police Commission follows:

- *State v. Paiva 1DCW-19-0004122 contract with Harrison Matsuoka in process*
- *Puana v. Kealoha et al. (Akagi) Civil no. 16-00659 JMS-KSC contract with Fukunaga Matayoshi Ching & Kon-Herrera LLP SC-COR-1800062*
- *Puana v. Kealoha et al. (Nguyen) Civil no. 16-00659 JMS-KSC contract with MK Law LLC SC-COR-2000006*
- *Franson and Topinio v. City et al. (Becera) Civil no. 16-00096 DKW-KSC contract with Cary T. Tanaka SC-COR-1800048*
- *Knowles v. Sunia et al. (Jaeger) Civil no. 16-1-1086-6 KKS contract with Cary T. Tanaka SC-COR-1800059*
- *Rice v. City et al. (Wang) Civil no 15-00541 contract process initiated with David Hayakawa however case settled 12/20/17 and contract was not executed*
- *Rivera v. City et al. (Cavaco) Civil no. 15-00360 contract process initiated with Jeffrey Hawk however case settled 2/8/18 and contract was not executed*
- *Rice v. City et al. (Kealoha) Civil no. 15-00541 contract process initiated with Cary Tanaka however case settled 12/20/17 and contract was not executed*
- *Silva et al. v. City (Kealoha) Civil n. 15-00436 HG-KSC contract with Chung Ikehara SC-COR-1700057*
- *State et al. v. Seti Civil no. CR no. 15-1-1216 contract with Thomas M. Otake SC-COR-1600135*

3. Documents sufficient to show amounts demanded, the basis for those amounts, and amounts paid to counsel based on determinations by the Honolulu Police Commission or a court pursuant to HRS 52D-8 in connections with United States v. Silva, No. 16-CR-787; United States v. Kealoha, No. 17-CR-582; United States v. Kealoha, No. 18-CR-68; United States v. Sellers, No. 19-CR-3; or Puana v. Kealoha, No. 16-CV-659, including but not limited to amounts demanded by Kevin Sumida, Myles Breiner, Rustam Barbee, Birney Bervar, Richard Sing, Randall Hironaka, Lars Isaacson, or William Harrison.

Responses follow:

- *United States v. Silva no. 16-CR-787 – representation not requested; no information available*
- *United States v. Kealoha no. 17-CR-582 – representation denied by the Honolulu Police Commission*
- *United States v. Kealoha no. 18-CR-68 – representation not requested; no information available*
- *United States v. Sellers no. 19-CR-3 – representation not requested; no information available*
- *Puana v. Kealoha et al. (Akagi) Civil no. 16-0CR0659 JMS-KSC contract with Fukunaga Matayoshi Ching & Kon-Herrera LLP SC-COR-1800062 – see attached invoice #49936 dated 9/22/20.*
- *Puana v. Kealoha et al. (Nguyen) Civil no. 16-00659 JMS-KSC contract with MK Law LLC SC-COR-2000006 -- no invoices received to date*
- *No amounts have been demanded by Kevin Sumida, Myles Breiner, Rustam Barbee, Birney Bervar, Richard Sing, Randall Hironaka, Lars Isaacson, or William Harrison*



RESOLUTION

TO RETAIN THE SERVICES OF HARRISON & MATSUOKA, AAL, AS A SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT HONOLULU POLICE DEPARTMENT OFFICER ADRIAN PAIVA IN A LEGAL ACTION ENTITLED STATE OF HAWAII V. ADRIAN PAIVA, CASE NO. 1DCW-19-0004122 (EWA DIST. CT.)

WHEREAS, Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("RCH") provides:

The corporation counsel shall serve as the chief legal adviser and legal representative of all agencies, the council and all officers and employees in matters relating to their official powers and duties. Except as otherwise provided by federal or state law, the determination whether a matter relates to official powers and duties shall be made by the corporation counsel and shall include, among other things, consideration of case law applicable to the concept of course and scope of employment. The corporation counsel shall represent the city in all legal proceedings, except as otherwise provided in this charter. The corporation counsel shall perform all other services incident to the office as may be required by this charter or by law.

and

WHEREAS, pursuant to Section 5-204.1 of the RCH, "Special deputies may be appointed by the corporation counsel, with the approval of the city council;" and

WHEREAS, on or about August 29, 2019 and on or about September 3, 2019, Officer Adrian Paiva was on duty with the Honolulu Police Department ("HPD") when he allegedly placed his hand on an HPD Recruit's buttock; and

WHEREAS, on December 11, 2019, the Department of the Prosecuting Attorney filed a criminal complaint against Officer Adrian Paiva in the District Court of the First Circuit, Ewa Division, under case number 1DCW-19-0004122; and

WHEREAS, the Department of the Corporation Counsel does not currently have the expertise to provide adequate legal representation in criminal matters; and

WHEREAS the Department of the Corporation Counsel seeks to retain Harrison & Matsuoka, AAL to be prepared to immediately respond or appear in court as a Special Deputy for Officer Paiva; now, therefore,



RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu that:

(1) Pursuant to the mandate of RCH Sections 5-203 and 5-204.1, the Council authorizes the retention of Harrison & Matsuoka, AAL as Special Deputy to represent Officer Adrian Paiva in his defense of the above referenced matter;

(2) The total sum to be expended to pay the Special Deputy Corporation Counsel shall not exceed \$15,000.00, but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount; and

(3) The Special Deputy may be paid monthly for his services; provided that he submits to the Corporation Counsel, an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and such monthly statement shall be reviewed and approved by the Corporation Counsel before any payments may be made by the City; and



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 20-129

RESOLUTION

BE IT FINALLY RESOLVED by this Council that the Clerk be and is hereby directed to transmit copies of this resolution to Department of the Corporation Counsel and Harrison & Matsuoka, AAL, 1001 Bishop Street, #1180, Honolulu, Hawaii 96813.

INTRODUCED BY:

[Handwritten Signature]

(br)

Councilmembers

DATE OF INTRODUCTION:

MAY 20 2020

Honolulu, Hawaii



RESOLUTION

TO RETAIN THE SERVICES OF FUKUNAGA MATAYOSHI CHING & KON-HERRERA AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT DRU AKAGI IN A LEGAL ACTION ENTITLED GERARD K. PUANA v. KATHERINE P. KEALOHA, ET AL., CIVIL NO. CV16-00659 JMS-KSC

WHEREAS, Dru Akagi ("Akagi"), a detective with the Honolulu Police Department ("HPD") is named in his official and individual capacity as a defendant in a civil lawsuit entitled Gerard K. Puana v. Katherine P. Kealoha, et al., Civil No. CV16-00659 JMS-KSC ("Puana Lawsuit"); and

WHEREAS, pursuant to Section 52D-8 of the Hawaii Revised Statutes, "[w]henever a police officer is ... sued in a civil action for acts done in the performance of the officers duty as a police officer, the police officer shall be represented and defended..."; and

WHEREAS, the Department of Corporation Counsel currently represents the City and County of Honolulu in several cases which are ongoing;

WHEREAS, it is probable that the City and County of Honolulu may, in the future, be named as a party defendant in the Puana Lawsuit;

WHEREAS, the Plaintiff has alleged in the Puana lawsuit that all of the defendants collaborated with each other to violate Plaintiff's rights and "engaged... in pattern of racketeering activity;"

WHEREAS, the Department of Corporation Counsel has determined that a potential conflict would exist if it represented any of the individual defendants in the Puana Lawsuit, including Akagi;

WHEREAS, pursuant to RCH Section 5-204, "Special deputies may be appointed by the corporation counsel, with the approval of the city council[;]" and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain a Special Deputy Corporation Counsel ("Special Deputy"), to represent and defend Akagi in the Puana Lawsuit; and

WHEREAS, Fukunaga Matayoshi Ching & Kon-Herrera possesses the specialized legal knowledge and expertise to defend Akagi as Special Deputy in this lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:



RESOLUTION

1. Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of Fukunaga Matayoshi Ching & Kon-Herrera as Special Deputy to represent Dru Akagi in the defense of, and any appellate proceedings arising out of, the above-referenced matter;
2. The total sum to be expended to pay Special Deputy shall not exceed Fifty Thousand Dollars (\$50,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;
3. Special Deputy may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and
4. The Director of Budget and Fiscal Services is authorized to execute a contract with Fukunaga Matayoshi Ching & Kon-Herrera for the legal representation of Dru Akagi in the above-referenced matter; and



CITY COUNCIL
 CITY AND COUNTY OF HONOLULU
 HONOLULU, HAWAII

No. 17-161

RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and Fukunaga Matayoshi Ching & Kon-Herrera, 841 Bishop Street, Suite 1200, Honolulu, Hawaii 96813.

INTRODUCED BY:

[Signature] (br)

DATE OF INTRODUCTION:

MAY 25 2017

 Honolulu, Hawaii

 Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 17-161

Introduced: 05/25/17 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE SERVICES OF FUKUNAGA MATAYOSHI CHING & KON-HERRERA AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT DRU AKAGI IN A LEGAL ACTION ENTITLED GERARD K. PUANA V. KATHERINE P. KEALOHA, ET AL., CIVIL NO. CV16-00659 JMS-KSC.

Voting Legend: * = Aye w/Reservations

05/23/17	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-219 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
06/07/17	COUNCIL	CR-219 AND RESOLUTION 17-161 WERE ADOPTED. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



RON MENOR, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE LAW OFFICE OF MEGAN K. KAU TO PROVIDE LEGAL SERVICES AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT MINH-HUNG "BOBBY" NGUYEN IN A LEGAL ACTION ENTITLED GERARD K. PUANA V. KATHERINE P. KEALOHA ET AL., CIVIL NO. 16-00659 JMS-RLP

WHEREAS, the current defendants include Katherine P. Kealoha ("Katherine"), Louis M. Kealoha ("Chief Kealoha"), Minh-Hung "Bobby" Nguyen ("Nguyen"), Daniel Sellers ("Sellers"), Niall Silva ("Silva"), Walter Calistro ("Calistro"), and Dru Akagi ("Akagi") (collectively "Defendants") in a civil lawsuit entitled Gerard K. Puana v. Katherine P. Kealoha et al., Civil No. 16-00659 JMS-RLP ("Lawsuit"); and

WHEREAS, pursuant to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("RCH"), Section 5-203, "[t]he corporation counsel shall serve as the chief legal adviser and legal representative of all agencies, the council and all officers and employees in matters relating to their official powers and duties"; and

WHEREAS, the Department of Corporation Counsel currently represents the City and County of Honolulu ("City") in the Lawsuit; and

WHEREAS, the Department of Corporation Counsel has determined that there is a non-waivable conflict of interest that would preclude it from simultaneously representing both the City and Defendant Minh-Hung "Bobby" Nguyen in the Lawsuit; and

WHEREAS, pursuant to RCH Section 5-204, "[w]here the corporation counsel has been disqualified, special counsel may be retained by any officer or employee in matters relating to the official powers and duties of such officer or employee"; and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain Special Counsel to represent and defend Defendant Minh-Hung "Bobby" Nguyen in the Lawsuit; and



RESOLUTION

WHEREAS, the Law Office of Megan K. Kau possesses the specialized legal knowledge and expertise to defend Minh-Hung "Bobby" Nguyen as Special Counsel in the Lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1 Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of the Law Office of Megan K. Kau as Special Counsel to represent Minh-Hung "Bobby" Nguyen in the defense of, and any appellate proceedings arising out of, the above-referenced matter;

2. The total sum to be expended to pay Special Counsel shall not exceed Forty Thousand Dollars (\$40,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;

3. Special Counsel may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and

4. The Director of Budget and Fiscal Services is authorized to execute a contract with the Law Office of Megan K. Kau for the legal representation of Minh-Hung "Bobby" Nguyen in the above-referenced matter; and



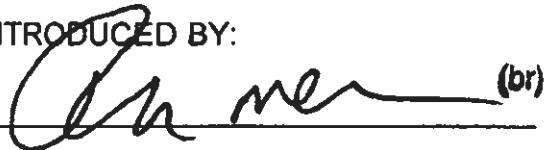
CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 19-23

RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and The Law Office of Megan K. Kau, 810 Richards Street, Suite 330, Honolulu, Hawaii 96813.

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

FEB 6 2019

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 19-23

Introduced: 02/06/19 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE LAW OFFICE OF MEGAN K. KAU TO PROVIDE LEGAL SERVICES AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT MINH-HUNG "BOBBY" NGUYEN IN A LEGAL ACTION ENTITLED GERARD K. PUANA V. KATHERINE P. KEALOHA, ET AL., CIVIL NO. 16-00659 JMS-RLP

Voting Legend: * = Aye w/Reservations

02/05/19	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-30 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI.
02/13/19	COUNCIL	CR-30 AND RESOLUTION 19-23 WERE ADOPTED. 8 AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE*, TSUNEYOSHI. 1 ABSENT: FORMBY.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


GLEN I. TAKAHASHI, CITY CLERK


ANN H. KOBAYASHI, INTERIM CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE SERVICES OF THE LAW OFFICE OF CARY T. TANAKA AS SPECIAL COUNSEL TO REPRESENT JOSEPH BECERA IN A LEGAL ACTION ENTITLED FRANCISCO FRANSON AND JORDON TOPINIO V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV16-00096 DKW-KSC

WHEREAS, Joseph Becera ("Becera"), a former reserve police officer with the Honolulu Police Department ("HPD") is named in his official and individual capacity as a defendant in a civil lawsuit entitled Francisco Franson, et al. v. City and County of Honolulu, et al., CV16-00096 DKW-KSC ("Franson Lawsuit"); and

WHEREAS, pursuant to Section 52D-8 of the Hawai'i Revised Statutes, "[w]henever a police officer is ... sued in a civil action for acts done in the performance of the officers duty as a police officer, the police officer shall be represented and defended..."; and

WHEREAS, the Department of Corporation Counsel currently represents the City and County of Honolulu in the Franson Lawsuit; and

WHEREAS, the Department of Corporation Counsel has determined that there is a non-waivable conflict of interest which would preclude it from simultaneously representing both the City and County of Honolulu and Becera in the Franson Lawsuit; and

WHEREAS, pursuant to RCH Section 5-204, "[w]here the corporation counsel has been disqualified, special counsel may be retained by any officer or employee in matters relating to the official powers and duties of such officer or employee[;]" and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain special counsel to represent and defend Becera in the Franson Lawsuit; and

WHEREAS, the Law Office of Cary T. Tanaka possesses the specialized legal knowledge and expertise to defend Becera as Special Counsel in this lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1. Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of the Law Offices of Cary T. Tanaka as Special Counsel to represent Joseph Becera in the defense of, and any appellate proceedings arising out of, the above-referenced matter;



RESOLUTION

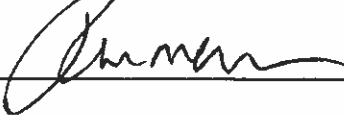
2. The total sum to be expended to pay Special Counsel shall not exceed Fifty Thousand Dollars (\$50,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;

3. Special Counsel may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and

4. The Director of Budget and Fiscal Services is authorized to execute a contract with the Law Office of Cary T. Tanaka for the legal representation of Joseph Becera in the above-referenced matter; and

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the Law Office of Cary T. Tanaka, 700 Bishop Street, Suite 1010, Honolulu, Hawaii 96813.

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

MAY 25 2017

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 17-160


Introduced: 05/25/17 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE SERVICES OF THE LAW OFFICE OF CARY T. TANAKA AS SPECIAL
COUNSEL TO REPRESENT JOSEPH BECERA IN A LEGAL ACTION ENTITLED FRANCISCO FRANSON AND
JORDON TOPINIO V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV16-00096 DKW-KSC.

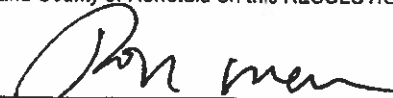
Voting Legend: * = Aye w/Reservations

05/23/17	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-218 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
06/07/17	COUNCIL	CR-218 AND RESOLUTION 17-160 WERE ADOPTED. 7 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 NO: ANDERSON. 1 ABSENT: PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN T. TAKAHASHI, CITY CLERK



RON MENOR, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE LEGAL SERVICES OF CARY T. TANAKA AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT ROBERT JAEGER IN A LEGAL ACTION ENTITLED GORDON J. KNOWLES V. SHERYL SUNIA, ET AL., CIVIL NO. 16-1-1086-6 BIA

WHEREAS, Robert Jaeger ("Jaeger"), a Sergeant with the Honolulu Police Department ("HPD") is named in his official and individual capacity as a defendant in a civil lawsuit entitled Gordon J. Knowles v. Sheryl Sunia, et al., Civil No. 16-1-1086 6 BIA ("Knowles Lawsuit"); and

WHEREAS, pursuant to Section 52D-8 of the Hawai'i Revised Statutes, "[w]henver a police officer is ... sued in a civil action for acts done in the performance of the officer's duty as a police officer, the police officer shall be represented and defended..."; and

WHEREAS, the Department of Corporation Counsel currently represents the City and County of Honolulu in the Knowles Lawsuit; and

WHEREAS, the Department of Corporation Counsel has determined that there is a non-waivable conflict of interest which would preclude it from simultaneously representing the City and County of Honolulu and Jaeger in the Knowles Lawsuit; and

WHEREAS, pursuant to RCH Section 5-204, "[w]here the corporation counsel has been disqualified, special counsel may be retained by any officer or employee in matters relating to the official powers and duties of such officer or employee[;]" and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain Special Counsel to represent and defend Jaeger in the Knowles Lawsuit; and

WHEREAS, the Law Office of Cary T. Tanaka possesses the specialized legal knowledge and expertise to defend Jaeger as Special Counsel in this lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1. Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of the Law Offices of Cary T. Tanaka as Special Counsel to represent Robert Jaeger in the defense of, and any appellate proceedings arising out of, the above-referenced matter;



RESOLUTION

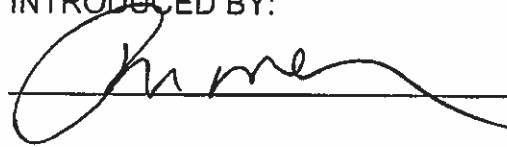
2. The total sum to be expended to pay Special Counsel shall not exceed Fifty Thousand Dollars (\$50,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;

3. Special Counsel may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and

4. The Director of Budget and Fiscal Services is authorized to execute a contract with the Law Office of Cary T. Tanaka for the legal representation of Robert Jaeger in the above-referenced matter; and

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the Law Office of Cary T. Tanaka, 700 Bishop Street, Suite 1010, Honolulu, Hawaii 96813.

INTRODUCED BY:



(br)

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers



RESOLUTION

TO RETAIN THE SERVICES OF THE LAW OFFICE OF DAVID HAYAKAWA AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT OFFICER MING WANG IN A LEGAL ACTION ENTITLED JAMIE KALANI RICE V. CITY AND COUNTY OF HONOLULU, ET AL., CV15-00541 ACK-KSC.

WHEREAS, Honolulu Police Department Officer Ming Wang ("Officer Wang") has been named as a defendant in a civil lawsuit entitled Jamie Kalani Rice v. City and County of Honolulu, et al., CV15-00541 ACK-KSC; and

WHEREAS, based on the allegations against Officer Wang, Officer Wang has certain constitutional rights to which he is entitled to counsel; and

WHEREAS, pursuant to Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended ("RCH"), the Corporation Counsel "shall represent the city in all legal proceedings, except as otherwise provided in this charter. The corporation counsel shall perform all other services incident to the office as may be required by this charter or by law[;]" and

WHEREAS, pursuant to Section 5-204.1, RCH, "Special deputies may be appointed by the corporation counsel, with the approval of the city council[;]" and

WHEREAS, the Department of the Corporation Counsel does not currently have the in-house expertise to provide representation regarding said constitutional rights and desires to retain legal counsel with such expertise; and

WHEREAS, the Department of the Corporation Counsel seeks to retain the Law Office of David Hayakawa to represent Officer Wang regarding said constitutional rights; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1. Pursuant to Sections 5-203 and 5-204.1, RCH, the City Council hereby authorizes the retention of the Law Office of David Hayakawa as Special Deputy Corporation Counsel to represent Officer Wang regarding Officer Wang's constitutional rights in the above-referenced matter;

2. The City and County of Honolulu shall pay the Special Deputy Corporation Counsel at the rate of \$125.00 per hour for preparation, research, and representation, together with reasonable costs incurred in connection with his services;

//



RESOLUTION

3. The total sum to be expended to pay the Special Deputy Corporation Counsel shall not exceed \$10,000.00, but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;

4. The Special Deputy Corporation Counsel may be paid monthly for his services, provided that he submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments are made by the City; and

5. The Director of Budget and Fiscal Services is authorized to execute a contract with the Law Office of David Hayakawa for the legal representation of Officer Ming Wang in the above-referenced matter and for the scope specified above; and

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the Law Office of David Hayakawa, 841 Bishop Street, Suite 2022, Honolulu, Hawai'i 96813.

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

AUG 24 2016
Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-227

Introduced: 08/24/16 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE SERVICES OF THE LAW OFFICE OF DAVID HAYAKAWA AS SPECIAL
DEPUTY CORPORATION COUNSEL TO REPRESENT OFFICER MING WANG IN A LEGAL ACTION
ENTITLED JAMIE KALANI RICE V. CITY AND COUNTY OF HONOLULU, ET AL., CV15-00541 ACK-KSC.

Voting Legend: * = Aye w/Reservations

08/23/16 EXECUTIVE CR-259 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
MATTERS AND
LEGAL AFFAIRS
(EXECUTIVE
SESSION)

09/07/16 COUNCIL CR-259 AND RESOLUTION 16-227 WERE ADOPTED.
9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE SERVICES OF JEFFREY A. HAWK AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT OFFICER SHAWN CAVACO IN A LEGAL ACTION ENTITLED RANDY RIVERA V. CITY AND COUNTY OF HONOLULU, ET AL., CV15-00360 LEK-KSC.

WHEREAS, Honolulu Police Department Officer Shawn Cavaco ("Officer Cavaco") has been named as a defendant in a civil lawsuit entitled Randy Rivera v. City and County of Honolulu, et al., CV15-00360 LEK-KSC; and

WHEREAS, based on the allegations against Officer Cavaco, Officer Cavaco has certain constitutional rights to which he is entitled to counsel; and

WHEREAS, pursuant to Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended ("RCH"), the Corporation Counsel "shall represent the city in all legal proceedings, except as otherwise provided in this charter. The corporation counsel shall perform all other services incident to the office as may be required by this charter or by law[;]" and

WHEREAS, pursuant to Section 5-204.1, RCH, "Special deputies may be appointed by the corporation counsel, with the approval of the city council[;]" and

WHEREAS, the Department of the Corporation Counsel does not currently have the in-house expertise to provide representation regarding said constitutional rights and desires to retain legal counsel with such expertise; and

WHEREAS, the Department of the Corporation Counsel seeks to retain Jeffrey A. Hawk to represent Officer Cavaco in regard to said constitutional rights; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1 Pursuant to Sections 5-203 and 5-204.1, RCH, the City Council authorizes the retention of Jeffrey A. Hawk as Special Deputy Corporation Counsel to represent Officer Cavaco regarding Officer Cavaco's constitutional rights in the above-referenced matter;

2. The City and County of Honolulu shall pay the Special Deputy Corporation Counsel at the rate of \$125.00 per hour for preparation, research, and representation, together with reasonable costs incurred in connection with his services;



RESOLUTION


3. The total sum to be expended to pay the Special Deputy Corporation Counsel shall not exceed \$10,000.00, but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;

4. The Special Deputy Corporation Counsel may be paid monthly for his services, provided that he submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments are made by the City;

5. The Director of Budget and Fiscal Services is authorized to execute a contract with Jeffrey A. Hawk for the legal representation of Officer Shawn Cavaco in the above-referenced matter and for the scope specified above; and

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and Jeffrey A. Hawk, 1130 North Nimitz Highway, Suite B299, Honolulu, Hawaii 96817.

INTRODUCED BY:

 _____ (Dr)

DATE OF INTRODUCTION:

AUG 24 2016

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-225

Introduced: 08/24/16 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE SERVICES OF JEFFREY A. HAWK AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT OFFICER SHAWN CAVACO IN A LEGAL ACTION ENTITLED RANDY RIVERA V. CITY AND COUNTY OF HONOLULU, ET AL., CV15-00360 LEK-KSC.

Voting Legend: * = Aye w/Reservations

08/23/16	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-257 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
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09/07/16	COUNCIL	CR-257 AND RESOLUTION 16-225 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
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I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE SERVICES OF THE LAW OFFICES OF CARY T. TANAKA AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT CHIEF LOUIS M. KEALOHA IN A LEGAL ACTION ENTITLED JAMIE KALANI RICE V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV15-00541 ACK-KSC.

WHEREAS, Louis M. Kealoha, Chief of Police of the Honolulu Police Department ("Chief Kealoha") is named in his official and individual capacity as a defendant in a civil lawsuit entitled Jamie Kalani Rice, et al. v. City and County of Honolulu, et al., CV15-00541 ACK-KSC ("Rice Lawsuit"); and

WHEREAS Chief Kealoha subsequently named Charles W. Totto, individually and as Executive Director and Legal Counsel of the Honolulu Ethics Commission; Honolulu Ethics Commission; and the City and County of Honolulu, as defendants in a civil lawsuit entitled Louis M. Kealoha, et al. v. Charles W. Totto, et al., Civil No. 16-1-1166-6 GWBC ("Totto Lawsuit"); and

WHEREAS, pursuant to Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended ("RCH"), the Corporation Counsel "shall represent the city in all legal proceedings, except as otherwise provided in this charter. The Corporation Counsel shall perform all other services incident to the office as may be required by this charter or by law[;]" and

WHEREAS, the Department of Corporation Counsel has determined that there is a potential conflict between its representation of the City and County of Honolulu in the Totto Lawsuit and its representation of Chief Kealoha in the Rice Lawsuit; and

WHEREAS the Department of Corporation Counsel attempted to, but was unable to obtain a waiver of said potential conflict from Chief Kealoha; and

WHEREAS representation of Chief Kealoha is otherwise impractical due to the Totto Lawsuit and communication issues arising out of that lawsuit; and

WHEREAS, pursuant to RCH Section 5-204, "Special deputies may be appointed by the corporation counsel, with the approval of the city council[;]" and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain a special deputy corporation counsel to represent and defend Chief Kealoha in the Rice Lawsuit; and



RESOLUTION

WHEREAS, the Law Offices of Cary T. Tanaka possess the specialized legal knowledge and expertise to defend Chief Kealoha as special deputy corporation counsel ("Special Deputy") in this lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1. Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of the Law Offices of Cary T. Tanaka as Special Deputy to represent Chief Kealoha in the defense of, and any appellate proceedings arising out of, the above-referenced matter;
2. The total sum to be expended to pay Special Deputy shall not exceed Twenty-Five Thousand Dollars (\$25,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;
3. Special Deputy may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and
4. The Director of Budget and Fiscal Services is authorized to execute a contract with the Law Offices of Cary T. Tanaka for the legal representation of Chief Kealoha in the above-referenced matter; and



CITY COUNCIL
 CITY AND COUNTY OF HONOLULU
 HONOLULU, HAWAII

No. 16-306

RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the Law Offices of Cary T. Tanaka, 700 Bishop Street, Suite 1010, Honolulu, Hawaii 96813.

INTRODUCED BY:

[Signature] _____ (b1)

DATE OF INTRODUCTION:

NOV 17 2016

 Honolulu, Hawaii

 Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 16-306

Introduced: 11/17/16 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS

Title: RESOLUTION TO RETAIN THE SERVICES OF THE LAW OFFICES OF CARY T. TANAKA AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT CHIEF LOUIS M. KEALOHA IN A LEGAL ACTION ENTITLED JAMIE KALANI RICE V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV15-00541 ACK-KSC.

Voting Legend: * = Aye w/Reservations

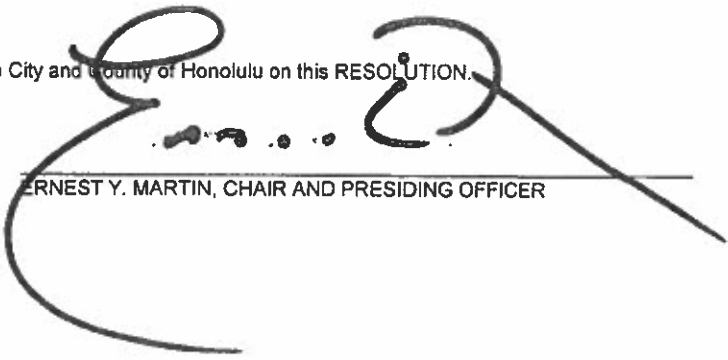
11/15/16	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-350 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
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12/01/16	COUNCIL	CR-350 AND RESOLUTION 16-306 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
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I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE SERVICES OF CHUNG & IKEHARA, ALC AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT CHIEF LOUIS M. KEALOHA IN A LEGAL ACTION ENTITLED GULSTAN E. SILVA, JR., ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV15-00436 HG-BMK

WHEREAS, Louis M. Kealoha, Chief of Police of the Honolulu Police Department ("Chief Kealoha") is named in his official and individual capacity as a defendant in a civil lawsuit entitled Gulstan E. Silva, Jr., as Personal Representative of the Estate of Sheldon Paul Haleck; Jessica Y. Haleck, Individually and as Guardian Ad Litem of Jeremiah M.V. Haleck; William E. Haleck; and Verdell B. Haleck, v. City and County of Honolulu; Donna Y.L. Leong, Individually and in her Official Capacity; Louis M. Kealoha, Individually and in his Official Capacity; Christopher Chung; Samantha Critchlow; Stephen Kardash; Chad Sano; Reynwood Makishi; Frank Pojsl, CV15-00436 HG-BMK, ("Silva Lawsuit"); and

WHEREAS Chief Kealoha subsequently named Charles W. Tutto, individually and as Executive Director and Legal Counsel of the Honolulu Ethics Commission; Honolulu Ethics Commission; and the City and County of Honolulu, as defendants in a civil lawsuit entitled Louis M. Kealoha, et al. v. Charles W. Tutto, et al., Civil No. 16-1-1166-6 GWBC ("Tutto Lawsuit"); and

WHEREAS, pursuant to Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (2000 ed.), as amended ("RCH"), the Corporation Counsel "shall represent the city in all legal proceedings, except as otherwise provided in this charter. The Corporation Counsel shall perform all other services incident to the office as may be required by this charter or by law[;]" and

WHEREAS, the Department of Corporation Counsel has determined that there is a potential conflict between its representation of the City and County of Honolulu in the Tutto Lawsuit and its representation of Chief Kealoha in the Silva Lawsuit; and

WHEREAS the Department of Corporation Counsel attempted to, but was unable to obtain a waiver of said potential conflict from Chief Kealoha; and

WHEREAS representation of Chief Kealoha is otherwise impractical due to the Tutto Lawsuit and communication issues arising out of that lawsuit; and

WHEREAS, pursuant to RCH Section 5-204, "Special deputies may be appointed by the corporation counsel, with the approval of the city council[;]" and



RESOLUTION

WHEREAS, based upon the foregoing, it is necessary to appoint and retain a special deputy corporation counsel to represent and defend Chief Kealoha in the Silva Lawsuit; and

WHEREAS, Chung & Ikehara, A Law Corporation possesses the specialized legal knowledge and expertise to defend Chief Kealoha, as special deputy corporation counsel ("Special Deputy") in this lawsuit; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

1. Pursuant to RCH Section 5-204, the City Council authorizes the appointment and retention of the law firm of Chung & Ikehara, A Law Corporation as Special Deputy to represent Chief Kealoha in the defense of, and any appellate proceedings arising out of, the above-referenced matter;
2. The total sum to be expended to pay Special Deputy shall not exceed Twenty-Five Thousand Dollars (\$25,000.00), but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount;
3. Special Deputy may be paid monthly for its services, provided that it submits to the Department of the Corporation Counsel an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and the Department of the Corporation Counsel reviews and approves the statements before any payments may be made by the City; and
4. The Director of Budget and Fiscal Services is authorized to execute a contract with the law firm of Chung & Ikehara, A Law Corporation for the legal representation of Chief Kealoha in the above-referenced matter; and



CITY COUNCIL
 CITY AND COUNTY OF HONOLULU
 HONOLULU, HAWAII

No. 16-307

RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the law firm of Chung & Ikehara, A Law Corporation, 707 Richards Street, Suite 300, Honolulu, Hawaii 96813.

INTRODUCED BY:

[Signature] (br)

DATE OF INTRODUCTION:

NOV 17 2016

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-307

Introduced: 11/17/16 By: RON MENOR - BY REQUEST Committee: EXECUTIVE MATTERS AND LEGAL AFFAIRS

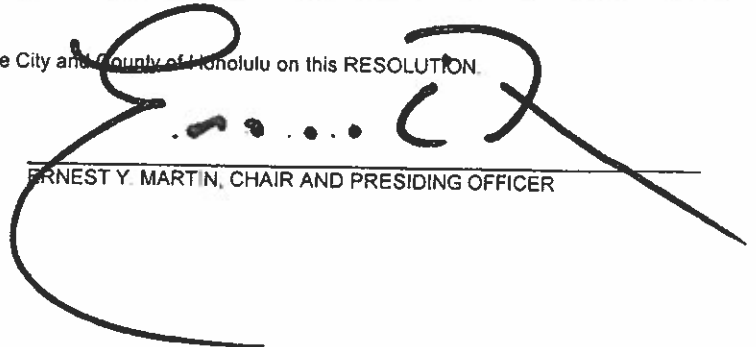
Title: RESOLUTION TO RETAIN THE SERVICES OF CHUNG & IKEHARA, ALC AS SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT CHIEF LOUIS M. KEALOHA IN A LEGAL ACTION ENTITLED GULSTAN E. SILVA, JR., ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV15-00436 HG-BMK.

Voting Legend: * = Aye w/Reservations

11/15/16	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-351 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
12/01/16	COUNCIL	CR-351 AND RESOLUTION 16-307 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


GLEN T. TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



RESOLUTION

TO RETAIN THE SERVICES OF A SPECIAL DEPUTY TO REPRESENT OFFICER SIAVE SETI, JR., AN EMPLOYEE OF THE CITY AND COUNTY OF HONOLULU, HONOLULU POLICE DEPARTMENT IN A LEGAL ACTION ENTITLED: STATE OF HAWAII V. SIAVE SETI, JR., C.R. NO. 15-1-1216

WHEREAS, Section 5-203 of the Revised Charter of the City and County of Honolulu ("RCH") 1973 provides:

The corporation counsel shall serve as the chief legal adviser and legal representative of all agencies, the council and all officers and employees in matters relating to their official powers and duties. Except as otherwise provided by federal or state law, the determination whether a matter relates to official powers and duties shall be made by the corporation counsel and shall include, among other things, consideration of case law applicable to the concept of course and scope of employment. The corporation counsel shall represent the city in all legal proceedings, except as otherwise provided in this charter. The corporation counsel shall perform all other services incident to the office as may be required by this charter or by law.

and

WHEREAS, RCH Section 5-204.1 provides that:

Special deputies may be appointed by the corporation counsel, with the approval of the city council. Such appointments shall be based on a contract specifying the compensation, if any, to be paid a special deputy. The compensation shall be based on the prevailing rate for the specified services to be rendered.

WHEREAS, on or about February 25, 2015, Officer Seti was on duty with the Honolulu Police Department when he was involved in an altercation with Eric Musrasik; and

WHEREAS, on July 2, 2015, the Attorney General's Office filed a criminal complaint against Officer Seti in the District Court of the First Circuit, Honolulu Division, under case number 1DCW-15-0003168.; and

WHEREAS, Officer Seti hired Thomas Otake, Esq, to represent him in the above criminal action. The case was ultimately committed to the Circuit Court under criminal number 15-1-1216 and scheduled for trial; and



RESOLUTION

WHEREAS, the Department of the Corporation Counsel does not currently have the expertise to provide adequate legal representation in criminal matters; and

WHEREAS the Department of the Corporation Counsel seeks to retain Thomas Otake, Esq. to be prepared to immediately respond or appear in court as Special Deputy for Officer Siave Seti, Jr.; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

- (1) Pursuant to the mandate of RCH Sections 5-203 and 5-204.1, the Council authorizes the retention of Thomas Otake, Esq. as Special Deputy to represent Officer Siave Seti, Jr. in defense of the above referenced matter;
- (2) The total sum to be expended to pay the Special Deputy shall not exceed \$20,000.00, but this amount may be increased by the Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount; and
- (3) The Special Deputy may be paid monthly for his services; provided that he submits to the Corporation Counsel, an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and such monthly statement shall be reviewed and approved by the Corporation Counsel before any payments may be made by the City; and
- (4) The Director of Budget and Fiscal Services is authorized to execute a contract with Thomas Otake, Esq. for the legal representation of Officer Siave Seti, Jr. in the above referenced matter; and



RESOLUTION

BE IT FINALLY RESOLVED by this Council that the Clerk be and is hereby directed to transmit copies of this resolution to Department of the Corporation Counsel and Thomas Otake, Esq., 345 Queen Street, #600, Honolulu, Hawaii 96813.

15-117 02100-000

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

OCT 29 2015
Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 15-298

Introduced: 10/29/15

By: TREVOR OZAWA (BR)

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

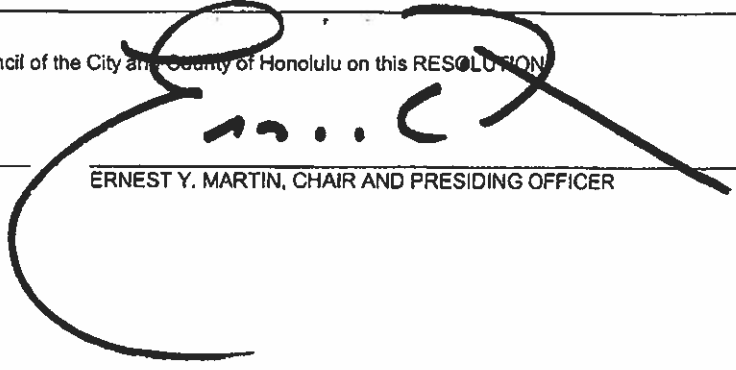
Title: RESOLUTION TO RETAIN THE SERVICES OF A SPECIAL DEPUTY TO REPRESENT OFFICER SIAVE SETI, JR., AN EMPLOYEE OF THE CITY AND COUNTY OF HONOLULU, HONOLULU POLICE DEPARTMENT IN A LEGAL ACTION ENTITLED: STATE OF HAWAII V. SIAVE SETI, JR., C.R. NO. 15-1-1216.

Voting Legend: * = Aye w/Reservations

10/20/15	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-404 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
11/04/15	COUNCIL	CR-404 AND RESOLUTION 15-298 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION


GLEN I. TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

Fukunaga Matayoshi Ching & Kon-Herrera, LLP
 Davies Pacific Center
 841 Bishop Street, Suite 1200
 Honolulu, Hawaii 96813 United States
 Tel. (808) 533-4300
 Fed. I.D. No. 99-0297032

City & County of Honolulu
 Department of Corporation Counsel
 530 S. King Street Room 110
 Honolulu HI 96813

Page 1
 09/22/2020
 Client No.: 35-120M
 Invoice No: 49936

Attn: Nicolette Winter- Deputy Corp Counsel

Gerard K. Puana vs Katherine P. Kealoha, Dru Akagi
 Civil: CV 1600659
 Gerard K. Puana v Katherine, Louis, Minh, Dru Akagi

OK for Payment
 By Nicolette Winter
 Deputy Corporation Counsel
 Date 9/24/20

							Hours	
01/07/2019	JTM	L250	A104	Analyze [REDACTED]	[REDACTED]		0.20	40.00
				[REDACTED]	email team re: [REDACTED]			
01/09/2019	JTM	L250	A104	Analyze [REDACTED]	[REDACTED]		0.20	40.00
				[REDACTED]	email team re: [REDACTED]			
04/18/2019	JTM	L250	A104	Analyze [REDACTED]	[REDACTED]		0.20	40.00
04/22/2019	JTM	L250	A104	Analyze [REDACTED]	[REDACTED]		0.20	40.00
04/23/2019	JTM	L250	A104	Analyze [REDACTED]	[REDACTED]		0.20	40.00
07/08/2019	JTM	L110	A104	Review, analyze [REDACTED]	[REDACTED]		0.60	120.00
07/12/2019	JTM	L110	A102	Research [REDACTED]	[REDACTED]		1.10	220.00
07/25/2019	JTM	L210	A107	T/C [REDACTED]	[REDACTED]		0.30	60.00
	JTM	L110	A103	Memo [REDACTED]	[REDACTED]		0.30	60.00
	NKL	L110	A104	Review [REDACTED]	[REDACTED]		0.40	60.00
08/21/2019	NKL	L110	A104	Review of letter [REDACTED]	[REDACTED]		0.30	45.00

Gerard K. Puana vs Katherine P. Kealoha, Dru Akagi
Civil: CV 1600659
Gerard K. Puana v Katherine, Louis, Minh, Dru Akagi

						Hours	
08/22/2019	JTM	L110	A104	Letter	[REDACTED]	0.40	80.00
08/23/2019	JTM	L130	A107	Telephone call	[REDACTED]	0.40	80.00
	JTM	L160	A107	Telephone	[REDACTED]	0.40	80.00
	JTM	L130	A107	Email	[REDACTED]	0.20	40.00
08/27/2019	JTM	L110	A104	Email	[REDACTED]	0.20	40.00
08/30/2019	JTM	L250	A107	Email	[REDACTED]	0.20	40.00
09/06/2019	JTM	L230	A101	Review	[REDACTED]	0.40	80.00
	JTM	L230	A109	Attend	[REDACTED]	1.00	200.00
	JTM	L230	A107	Meet w/	[REDACTED]	0.50	100.00
						7.70	1,505.00

Recapitulation

Timekeeper	Hours	Hourly Rate	Total
Jerold T Matayoshi	7.00	\$200.00	\$1,400.00
Nicholas K. Lee	0.70	150.00	105.00

General Excise Tax on Fees 70.92

Total Current Work 1,575.92

\$1,575.92

Task Code Summary

		Fees	Expenses
L110	Fact Investigation/Development	625.00	0.00
L130	Experts/Consultants	120.00	0.00
L160	Settlement/Non-Binding ADR	80.00	0.00
L100	Total - Case Assessment, Development and Administration	825.00	0.00
L210	Pleadings	60.00	0.00
L230	Court Mandated Conferences	380.00	0.00
L250	Other Written Motions and Submissions	240.00	0.00
L200	Total - Pre-Trial Pleadings/Motions	680.00	0.00

O.K. FOR PAYMENT

[Signature]
Deputy Corporation Counsel

Date _____

City & County of Honolulu

Gerard K. Puana vs Katherine P. Kealoha, Dru Akagi
Civil: CV 1600659
Gerard K. Puana v Katherine, Louis, Minh, Dru Akagi

Page 3

09/22/2020

Client No.: 35-120M

Invoice No: 49936

email: [REDACTED] ok-jtm
Oahu: 4.712%