HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 26-175

RESOLUTION

TO RETAIN THE LEGAL SERVICES OF STARN O'TOOLE MARCUS & FISHER, A LAW CORPORATION AS SPECIAL COUNSEL TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN THE LEGAL ACTION ENTITLED LAUREL J. MAU V. CITY AND COUNTY OF HONOLULU, ET AL.; CASE NO. 1:24-CV-00253 GPC-WRP (U.S.D.C.).

WHEREAS, on June 14, 2024, Plaintiff Laurel J. Mau filed a Complaint ("Lawsuit") against City and County of Honolulu, Keith Kaneshiro, Vernon Branco, and Jacob George Delapane; and

WHEREAS, pursuant to Section 5-203 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), "[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, through the course of the litigation, the Department of the Corporation Counsel ("COR") has determined that there is conflict of interest which ethically prohibits COR from continuing its representation of Defendant City and County of Honolulu; and

WHEREAS, pursuant to Rules 1.7 and 1.10 of the Hawai'i Rules of Professional Conduct precludes an attorney and other attorneys in a legal office from jointly representing clients with a concurrent conflict of interest; and

WHEREAS, based upon the foregoing, it is necessary to appoint and retain a Special Counsel to represent and defend Defendant City and County of Honolulu in the Lawsuit; and

WHEREAS, Starn O'Toole Marcus & Fisher, possesses the specialized legal knowledge and expertise to defend Defendant City and County of Honolulu as Special Counsel in the Lawsuit; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that pursuant to Sections 5-203 and 5-204.3 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, the Council authorizes the appointment and retention of Starn O'Toole Marcus & Fisher, A Law Corporation as Special Counsel to represent Defendant City and County of Honolulu in the Lawsuit filed on June 14, 2024 by Plaintiff Laurel J. Mau; and

RESOLUTION

BE IT FURTHER RESOLVED that 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; and

BE IT FURTHER RESOLVED that the Special Counsel may be paid monthly for its services, provided that it submits to COR an itemized 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 COR reviews and approves the statements before any payments may be made by the City and County of Honolulu; and

BE IT FURTHER RESOLVED that the Director of Budget and Fiscal Services is authorized to execute a contract with Starn O'Toole Marcus & Fisher, A Law Corporation for the legal representation of Defendant City and County of Honolulu in the Lawsuit; and

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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Corporation Counsel and the law firm of Starn O'Toole Marcus & Fisher, A Law Corporation, 733 Bishop Street, Suite 1900, Honolulu, Hawai'i 96813.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

AUG 3 2026

Honolulu, Hawai'i

Councilmembers

(Mau.City.Starn.2026)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 26-175

Introduced: 08/03/26 By: TOMMY WATERS - BY REQUEST Committee: COUNCIL (CCL)

Title: TO RETAIN THE LEGAL SERVICES OF STARN O'TOOLE MARCUS & FISHER, A LAW CORPORATION AS SPECIAL COUNSEL TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN THE LEGAL ACTION ENTITLED LAUREL J. MAU V. CITY AND COUNTY OF HONOLULU, ET AL.; CASE NO. 1:24-CV-00253 GPC-WRP (U.S.D.C).

Voting Legend: * = Aye w/Reservations

08/03/26	INTRO	Introduced.
08/12/26	CCL	Adopted. 8 AYES: CORDERO, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER 1 ABSENT: DOS SANTOS-TAM

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.

CHADD KADOTA, ACTING CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER