



---

## RESOLUTION

---

TO RETAIN THE SERVICES OF THE LAW OFFICES OF CARY T. TANAKA AS SPECIAL DEPUTY FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT DONNA Y.L. LEONG IN A LEGAL ACTION ENTITLED GULSTAN E. SILVA, JR., AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SHELDON PAUL HALECK, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CV15-00436 HG/BMK

WHEREAS, the City and County of Honolulu, DONNA Y.L. LEONG, and various other City employees are named as defendants in the lawsuit entitled Gulstan E. Silva, Jr., as Personal Representative of the Estate of Sheldon Paul Haleck, et al. v. City and County of Honolulu, et al., CV15-00436 HG/BMK; and

WHEREAS, Defendant DONNA Y.L. LEONG holds the position of Corporation Counsel; and

WHEREAS, the Department of the Corporation Counsel is defending the City and County of Honolulu in the above-mentioned lawsuit; and

WHEREAS, because Defendant DONNA Y.L. LEONG is named in her individual and official capacity, a potential conflict of interest exists; and

WHEREAS, Section 5-204.1 of the Revised Charter of the City and County of Honolulu (2000 Edition, as amended) ("RCH") provides that special deputies may be appointed by the Corporation Counsel, with the approval of the City Council, and based on a contract specifying the compensation based on prevailing rates for the services to be rendered; and

WHEREAS, based upon the foregoing, it is necessary to retain a special deputy corporation counsel to represent and defend the interests of Defendant DONNA Y.L. LEONG in the lawsuit; and

WHEREAS, the Law Offices of Cary T. Tanaka possesses the specialized legal knowledge and expertise to defend Defendant DONNA Y.L. LEONG as Special Deputy Corporation Counsel in this lawsuit; now therefore,



---

## RESOLUTION

---

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

1. Pursuant to RCH Section 5-204.1, it authorizes the retention of the Law Offices of Cary T. Tanaka as Special Deputy Corporation Counsel to represent Defendant DONNA Y.L. LEONG in defense of the above-referenced matter;
2. The City and County of Honolulu shall pay Special Deputy Corporation Counsel at the rate of \$185.00 per hour for preparation, research, and representation, together with reasonable costs incurred in connection with its services;
3. The total sum to be expended to pay Special Deputy Corporation Counsel shall not exceed \$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;
4. Special Deputy Corporation 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
5. 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 Defendant DONNA Y.L. LEONG in the above-referenced matter;



**RESOLUTION**

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 Offices of Cary T. Tanaka, 700 Bishop Street, Suite 1010, Honolulu, Hawaii 96813.

INTRODUCED BY:

 (br)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

**NOV 23 2015**  
Honolulu, Hawaii

Councilmembers