



RESOLUTION

TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300044 TO CONTINUE THE SERVICES OF AYABE CHONG NISHIMOTO SIA & NAKAMURA AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 LEK-RLP.

WHEREAS, by way of Resolution No. 12-327, the Council of the City and County of Honolulu ("Council") approved of the retention of the law firm of AYABE CHONG NISHIMOTO SIA & NAKAMURA ("Special Counsel") to represent and defend the interests of the City and County of Honolulu, named as a Defendant in the civil action entitled Sergeant Shermon Dean Dowkin, et al. v. The City and County of Honolulu, et al., Civil No. CV 10-00087 LEK-RLP, and

WHEREAS, by way of Resolution No. 12-327, Council authorized an allotment to Special Counsel in the amount of \$75,000.00 for legal fees and costs in the defense of the above-referenced Defendant in the above-referenced lawsuit; and

WHEREAS, by way of Resolution No. 15-239, Council authorized an additional allotment to Special Counsel in the amount of \$75,000.00 for legal fees and costs in the defense of the above-referenced Defendant in the above-referenced lawsuit; and

WHEREAS, by way of Resolution No. 16-34, Council authorized an additional allotment to Special Counsel in the amount of \$100,000.00 for legal fees and costs in the defense of the above-referenced Defendant in the above-referenced lawsuit; and

WHEREAS, to date, Special Counsel has billed the City a total of \$353,464.78, and has indicated that additional funds are necessary; and

WHEREAS, Special Counsel has requested the approval of additional funds to cover anticipated legal fees and costs in defense of the above-referenced Defendant in the lawsuit; and

WHEREAS, based on the above, it appears that an increase in the amount of fees is warranted and Corporation Counsel has recommended the allotment of additional sums; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu, pursuant to the mandate of Sections 5-203 and 5-204.3 of the Revised Charter of the City and County of Honolulu 1973 (Supp. 2012), that an additional \$110,000.00 be allotted for the payment of the law firm of Ayabe Chong Nishimoto Sia & Nakamura, in accordance



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with all the terms and conditions set forth in Resolution No. 12-327, bringing the total amount authorized by Council resolution to \$360,000.00; 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 firm of Ayabe Chong Nishimoto Sia & Nakamura, 1003 Bishop Street, Suite 2500, Honolulu, Hawaii 96813.

INTRODUCED BY:

[Handwritten Signature]

(br)

DATE OF INTRODUCTION:

MAR 30 2016

Honolulu, Hawaii

Councilmembers

2016 MAR 30 10:34 AM
CITY AND COUNTY OF HONOLULU

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

RESOLUTION 16-80

Introduced: 03/30/16

By: TREVOR OZAWA – BY REQUEST

Committee:

EXECUTIVE MATTERS AND
LEGAL AFFAIRS

Title: RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300044 TO CONTINUE THE SERVICES OF AYABE CHONG NISHIMOTO SIA & NAKAMURA AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 LEK-RLP.

Voting Legend: * = Aye w/Reservations

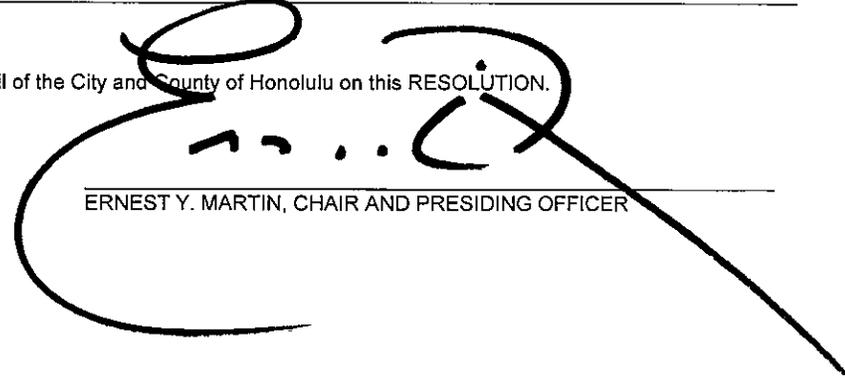
03/29/16 EXECUTIVE CR-93 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
MATTERS AND
LEGAL AFFAIRS
(EXECUTIVE
SESSION)

04/20/16 COUNCIL CR-93 AND RESOLUTION 16-80 WERE ADOPTED.
8 AYE: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA,
PINE.
1 ABSENT: ANDERSON.

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