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DEPARTMENT OF THE CORPORATION COUNSEL  
**CITY AND COUNTY OF HONOLULU**

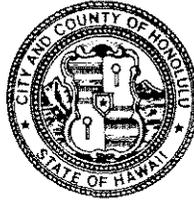
MAR 06 2006

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MUFI HANNEMANN  
MAYOR

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CARRIE K.S. OKINAGA  
CORPORATION COUNSEL

DONNA M. WOO  
FIRST DEPUTY CORPORATION COUNSEL

TO: ROMY M. CACHOLA  
COUNCILMEMBER

FROM: DONNA M. WOO *DMW*  
FIRST DEPUTY COPRORATION COUNSEL

DATE: MARCH 6, 2006

SUBJECT: WAIMEA VALLEY SETTLEMENT AGREEMENT

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2006 MAR -6 P 3:38  
CITY COUNCIL  
HONOLULU, HAWAII

This is in response to your memorandum dated February 24, 2006, requesting that we transmit the above-referenced settlement agreement for consideration by the City Council at least six days prior to the Council's consideration of the settlement. Please be assured that we intend to transmit the settlement agreement to Council as soon as practicable. However, we cannot promise that the agreement will be transmitted at least six days prior to the Council approval of the settlement.

As you are aware, the parties to the Waimea settlement are working under court order and with the assistance of the court-appointed mediator, Clyde W. Matsui, Esq. With six parties involved in this settlement, some of which are not even named parties in the lawsuit, this is a most unusual settlement document. We are not in control of the timing of the completion of the settlement agreement except that we do have a court deadline of March 15, 2006. The parties have been working diligently on the settlement agreement to meet that deadline. The parties are not obligated to meet deadline set by Council.

May we remind you that the action the City Council has to take is to accept or reject the settlement, not to negotiate the details of the settlement.

With regards to the February 17, 2006 request regarding Waimea Valley acquisition funds, we will provide you with our opinion as soon as it is completed:

Thank you for your continuing support in this matter.

cc: Mayor Mufi Hannemann  
Council Chair D. Dela Cruz  
Councilmember T. Apo  
Councilmember C. Djou  
Councilmember N. Garcia  
Councilmember A. Kobayashi  
Councilmember B. Marshall  
Councilmember G. Okino  
Councilmember R. Tam  
Carrie K. S. Okinaga

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