

JC2



Testimony of the
HAWAII STATE BAR ASSOCIATION
relating to the nomination of

STEVEN M. NAKASHIMA
District Court Judge, First Circuit Court

To: Senate Committee on Judiciary and Government Operations
The Honorable Brian T. Taniguchi, Chair
The Honorable Dwight Y. Takamine, Vice-Chair

Hearing: Tuesday, August 3, 2010 at 1:30 p.m.
Conference Room 229
State Capitol

The Board of Directors of the Hawaii State Bar Association appreciates the opportunity to comment on the qualifications of Steven M. Nakashima for the position of District Court Judge of the First Circuit.

In evaluating judicial nominees, the HSBA Board utilizes a modified version of the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. These Guidelines include the following criteria: integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, and public service, collegiality and writing ability. The HSBA Board's rating system includes the categories of "qualified" and "not qualified."

As part of its procedures for evaluating and taking positions on judicial and executive appointments, the HSBA Board utilizes a subcommittee of HSBA Board to review materials presented by the nominee and input from members. The subcommittee is also tasked with checking references and contacting others who have knowledge of the nominee's experience and qualifications. The full Board reviews the materials prepared by this subcommittee, the complete materials submitted by the nominee and members and conducts an interview of the nominee.

Taking into consideration all of the information presented by and about the nominee and an interview with the nominee, the vote of the Board of Directors of the Hawaii State Bar Association found Steven M. Nakashima to be qualified for the position of District Court Judge of the First Circuit.

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From: JGO Testimony
Subject: FW: Recommendation for confirmation of Steven Nakashima

From: kenhipp@live.com
To: sentaniguchi@capitol.hawaii.gov
Subject: Recommendation for confirmation of Steven Nakashima
Date: Tue, 20 Jul 2010 08:53:31 -1000

Senator Brian Tanaguchi
Chair, Judiciary Committee
Hawaii State Senate

Subj: Recommendation for Confirmation of Steven Nakashima to District Court

Dear Sen. Tanaguchi:

I am writing to recommend Steven Nakashima for confirmation to be on the District Court of the First Circuit following his nomination by Chief Justice Ronald Moon.

I have known Steve for twenty-three years and worked closely with him on a daily basis for fifteen of those years when we were partners at Goodsell Anderson Quinn & Stifel and Marr Hipp Jones & Pepper (currently Marr Jones & Wang). Steve and I started the labor and employment law practice at Goodsell in 1987, and I recruited him to be a partner at Marr Hipp in 1999.

Steve was a District Court Judge on the First Circuit for approximately five years in the late 1990's. During his time on the bench he was instrumental in reviewing and recasting the District Court's procedural rules.

When I recruited Steve to join Marr Hipp in 1999, he made it very clear to me that his first choice of careers was to continue as a District Court Judge because he felt that the District Court provided most people with their only contact with the judiciary and that their feelings about justice in the state was most affected by the District Court. However, the needs of his three children for high school and college tuition dictated that he leave the bench and go into private practice. While he was at Marr Hipp, he let the partners know that he hoped to return to the bench some day, and he has routinely been referred to Governor Lingle for consideration for judiciary appointments over the past few years. His youngest child, Erin, is now in college, and Steve is in a position to return to the judiciary.

During all the years I have known Steve, he has always been honest, fair, and hard working. I have never known him to speak disrespectfully of another person, to be intemperate, or display anger. At Marr Hipp, Steve was the partner we all turned to when ethical questions were presented, and he always steered us in the right direction. Steve willingly took on difficult cases, such as the multiple overtime compensation cases against the City and County of Honolulu and County of Maui. Even when he was inundated with work, he could be counted on to help out when any of us asked him, and I asked him for help a lot. I knew that when he helped one of our clients, the work would be thorough and well reasoned. His legal analysis is excellent. I am sure that if you check with the corporation counsel's office for Honolulu and the county counsel's office for Maui, they will give Steve their highest ratings for his handling of cases for them. I am also sure that if you check with opposing counsel in Steve's cases, you will find them to be uniform in their praise of Steve's ethics and fairness.

I cannot recommend Steve too highly for a District Court position. I urge the Senate to confirm Chief Justice Moon's nomination of Steve as soon as possible. Thank you for your consideration.

Sincerely,

Ken Hipp

MEHEULA AND DEVENS LLP

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING LAW CORPORATIONS*

707 Richards Street Penthouse One Honolulu, Hawaii 96813-4623 Telephone: (808) 528-5003 Fax: (808) 254-6872 PacificLaw.com

William Meheula* Vladimir P. Devens Derek T. Mayeshiro Kurt Kagawa David F. Fasi Of Counsel

July 27, 2010

U.S. MAIL/FAX: 808-586-6461

The Honorable Brian T. Taniguchi
Committee on Judiciary and Government Operations
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Re: **District Court Nomination-Steven Nakashima, Esq.**

Dear Chair Taniguchi:

I write this letter to express my strong support of Steven Nakashima's nomination to the District Court, First Circuit, State of Hawaii.

I have been a member of the Hawaii bar for 22 years and am a partner with the law firm of Meheula & Devens, LLP. I also serve as general outside counsel for the State of Hawaii Organization of Police Officers ("SHOPO") and as chairman of the State Land Use Commission.

During the approximately 20 years that I have professionally known Mr. Nakashima, it has been in litigation and on opposing sides. From that stand point, I have had the opportunity to observe first hand Mr. Nakashima's legal skills and abilities. I say without any reservations that Mr. Nakashima's skills, legal analysis and intelligence are without a doubt at the highest levels in our legal community. One of the more recent cases Mr. Nakashima and I litigated involved over 2,000 plaintiffs who were seeking millions in damages. The case raised extremely complicated issues along with intertwining federal and state laws. Despite the complexity and sheer size of the case that generated volumes of discovery, the case showcased Mr. Nakashima's legal knowledge and exceptional ability to sift through the many facts in applying the law to make excellent and well reasoned legal arguments.

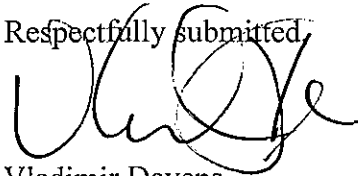
As opposing counsel, Mr. Nakashima has always been the consummate professional who litigates hard, but fairly and with genuine civility. He displays an even temperament during the most stressful of situations and is simply a gentleman who treats everyone with the utmost respect. He enjoys a well earned reputation for having an incredible work ethic and is of impeccable character and integrity.

The Honorable Brian T. Taniguchi
Committee on Judiciary and Government Operations
7/27/10
Page Two

As you may know, Mr. Nakashima previously served on the District Court bench, but departed after having to make a difficult decision regarding the well being and education of his children. I know that it was a very tough decision for him to step down because he truly enjoyed public service. While he has been away from the bench, Mr. Nakashima expressed to me on a number of occasions how much he appreciated and missed the opportunity the bench provided to be a positive influence in our community. By returning to the bench, Mr. Nakashima leaves a successful law practice and I will be losing a most worthy opponent, but the community will be gaining a top notch jurist who will undoubtedly serve the community well.

Thank you for allowing me to submit my comments and I hope Mr. Nakashima will receive your committee's favorable consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Vladimir Devens', written in a cursive style.

Vladimir Devens

July 29, 2010

TO: Senator Brian T. Taniguchi, Chair
Senator Dwight Takamine, Vice Chair
And Members of the Senate Committee on Judiciary and Government Operations

FROM: Wayne M. Tanna, Esq., LL.M. (Taxation)

RE: Testimony on **JC2 Submitting for Consideration and Confirmation to the District Court of the First Circuit, Judicial Nominee Steven M. Nakashima**

Hearing: August 3, 2010 (1:30 PM Room 229)

POSITION: Support

Thank you for allowing me the opportunity to testify in SUPPORT of the nomination of Steven Nakashima for appointment as a district court judge. My name is Wayne Tanna, I am member of the Hawaii State Bar Association, a university professor and a community volunteer.

It has been said that the primary criteria for a good judge are the ability to be open-minded, fair, and unbiased. We also should seek to appoint those who are polite, courteous, and patient. Another important consideration is a good reputation obtained as a practicing lawyer or as a judge in the past. In addition, a judge must have common sense, the ability to learn about a wide variety of areas of the law, good communication skills, and, frequently, a good sense of humor. Mr. Nakashima clearly reflects all of these qualities.

Others with different experiences with Steven Nakashima will undoubtedly testify as to his abilities as a lawyer, I wish to add to what these others have and will say by addressing Mr. Nakashima's work in the community. I have had for several years now the opportunity and privilege of serving on a couple of nonprofit boards with Steven. These organizations serve to advance the educational attainment of students in our public education system, those that are often less fortunate and in need of a hand up. I believe that the service that Mr. Nakashima provides through these and other community organizations gives him a clear understanding of what the average citizen goes through when having to comply with the daunting task of appearing in court.

Too often, because our third branch of government functions so efficiently and quietly, that the only time the public considers the way our courts are performing is when the media gets involved. Polls indicate a large portion of the population does not even realize that our Constitutional Government is based upon three independent, but equal, branches of government, and it is the third branch, the judicial branch, that is the least visible and the least understood. As such it is especially important that judges, particularly at the district court level, have a strong background and understanding of the day to day lives of our average citizens. While not a bad thing in and of itself, too often good lawyers are

also financially successful individuals that associate mostly with other financially successful individuals and businesses. What this often leads to is a great possibility that the context and limitations of the average citizen is lost or is something that becomes less likely to be understood. I state this not in an elitist fashion but merely to acknowledge that there are many who appear in court that are living in or near poverty and the challenges that this situation brings on need to be addressed in a different way and through a different set of life experiences.

The current economy has forced many who are summoned to appear in court to have to appear pro se. This situation calls for judges to be more of the people and more understanding of the needs of the people while at the same time being impartial and having the integrity to uphold the law as it is written. This is a balance that Steven Nakashima possesses and will use to further the administration of justice as a district court judge.

Thank you for this opportunity to testify in support of Mr. Nakashima's nomination to become a district court judge.

MARR JONES & WANG

A LIMITED LIABILITY LAW PARTNERSHIP

Labor and Employment Law

July 29, 2010

Via e-mail (JGOTestimony@Capitol.hawaii.gov)

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Senator Robert Bunda
Senator Mike Gabbard
Senator Clarence K. Nishihara
Senator Sam Slom
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: Judicial Nominee Steven M. Nakashima

Dear Chair Taniguchi, Vice Chair Takamine, Senator Bunda, Senator Gabbard, Senator Nishihara, and Senator Slom:

I am a partner at Marr Jones & Wang and have been associated with the firm since 1997. I have had the pleasure of working with Steve Nakashima for over 10 years and am writing in support of his nomination.

As you may know, Steve served as a district court judge from 1995 to 1999. He reluctantly left the bench due to his concern that he would not be able to provide all three of his children with the opportunity to attend private school and to save for their college education. At the time, his oldest daughter was attending Iolani, his son was attending HBA, and he and his wife were wrestling with the prospect of his youngest daughter applying for admission to private school in the future (while already borrowing against his 401(k) to make ends meet). In addition, the governor had recently vetoed a judicial pay raise. Although I always knew that the reason Steve left the bench was to provide for his family, I did not fully appreciate the sacrifice that he made until years later when I also became a parent and the reality of paying for childcare and tuition set in. Only then did I realize that Steve gave up his true love -- and perhaps his true calling -- for the sake of his children.

Few people are blessed to find a job that they love in their lifetime, but Steve is one of them. Unfortunately, the job that Steve fell in love with is not the one that he currently

has. Don't get me wrong: I know that Steve enjoys the work that he does at the firm. I know that Steve enjoys working with the firm's clients and has successfully developed both professional and personal relationships with many of the people he has worked with over the years. I know that Steve enjoys being a mentor to our associates. I know that Steve likes being a partner here. However, he speaks with fondness of his experiences as a district court judge in a way that I have never heard him speak about any of his experiences at the firm -- or, for that matter, any of his other professional experiences. Over the years, Steve has shared countless stories of his interactions with litigants (particularly pro se parties), attorneys, witnesses, and court staff. He speaks with passion and conviction when describing how rewarding it was to be able to directly affect people and ensure that they were given an opportunity to be heard -- not just in the legal sense, but also from a human perspective of being able to share their stories and feel that someone took the time to listen to them. While Steve has applied for numerous judicial positions over the years and has made the list for various Circuit Court, Intermediate Court of Appeals, and Supreme Court positions, he has always longed to return to the district court.

During the time that I have known Steve, I have seen him interact with hundreds of people -- partners, associates, staff, clients, opposing counsel, judges, administrators, and even his own family. The breadth and depth of these observations -- separate and apart from the affection that I have for Steve as a partner, colleague, and friend -- give me the confidence to say that I cannot think of anyone more qualified or better suited for a position as a district court judge.

Judicial experience. Steve served as a district court judge for a little over four years, where he presided over criminal and civil matters. When Steve returned to private practice, Steve continued to maintain his skills as a neutral by serving as a volunteer arbitrator in the judiciary's Court Annexed Arbitration Program and as a mediator for the Mediation Center of the Pacific. While Steve's prior judicial experience would obviously serve him well as a judge, his recent experience as a practicing attorney would be equally helpful. As a practicing attorney, Steve is directly in touch with clients, counsel, and administrative agencies, and regularly appears in state and federal courts; this would enable him to bring a practitioner's view of the judicial system to the bench and his observations about current differences between the state and federal court systems might lead to ideas for further improvements at the district court.

Understanding. Steve's patience and understanding are without limit. Steve brings a balanced perspective wherever he goes, whether it is at a partners' meeting, a hearing on a motion, a mediation or negotiation session, a consultation with a client about a difficult issue, or a discussion with his own children about their educational or career choices. He takes the time to listen to what others have to say and to try to understand how they are feeling. While he might not agree with their views, he will always show them courtesy and respect, and will do his best to try to find a solution that everyone can accept and support.

Dedication. Steve is dedicated to the community and serves on several non-profit boards. Steve has been the President of the Kaimuki High School Foundation, which raises funds and awards grants for school projects, for as long as I can remember. His work as President goes far beyond convening meetings, reviewing grant proposals, preparing reports, and

signing checks. Steve is the kind of person who not only is involved with planning the event, but is also there to help pick up soda from the donor and help set up the facility before the event begins; he is the kind of person who not only reviews a grant proposal for a theater production, but is there to watch the show and cheer the students on. Steve is also the President of Youth Services Hawaii, a non-profit organization which promotes service learning through public and private schools, and has served as a volunteer at legal clinics sponsored by Volunteer Legal Services of Hawaii.

Generosity. Steve is someone who is generous in all meanings of the word. He is generous in terms of his time -- the time he spends at the office to ensure that the work he produces is of the highest quality, the time he spends helping to address and resolve administrative issues that come up within the firm, and the time that he spends with his family. He is generous in his compassion for others and his desire to create opportunities for people to succeed, as evidenced by his community service activities and pro bono work. Most importantly, he is generous in spirit, for he always considers the best interests of others, often putting those interests above his own.

Ethics. Within the firm, Steve is affectionately known as "the ethics guy." In addition to being someone of the highest moral character, Steve is also well-versed in the Hawaii Rules of Professional Conduct and provides invaluable advice in evaluating potential conflicts during the intake process.

In summary, I believe that Steve's judicial experience, understanding, dedication, generosity, and ethics would make him an ideal district court judge. I hope that you agree and that the committee will recommend that he be confirmed.

Thank you for taking the time to consider my testimony.

Very truly yours,



Melanie Mito May

SHOPO



July 30, 2010

U.S. MAIL/FAX: 808-586-6461

The Honorable Brian T. Taniguchi
Committee on Judiciary and Government Operations
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Re: **District Court Nomination-Attorney Steven Nakashima**

Dear Chair Taniguchi:

This letter is submitted for your consideration with respect to the nomination of The Honorable Steven Nakashima to the District Court of the First Circuit Court.

I currently serve as President of the State of Hawaii Organization of Police Officers ("SHOPO"), which is the labor union representing our county police officers throughout the State of Hawaii.

I first came to know Mr. Nakashima in a case where he was defending the City and County of Honolulu against employment claims being made by our union members. Based on my interaction and observations of Mr. Nakashima, there is no question that he possesses the highest levels of intelligence, integrity and work ethic that will make him an excellent choice to serve as a District Judge. During the case, I quickly recognized that Mr. Nakashima was extremely bright, articulate and hard working, but at the same time he was very balanced, professional and respectful, despite our different views as it related to the legal claims. He certainly earned our respect as a formidable opponent who had the highest levels of integrity.

In addition to his legal skills, Mr. Nakashima has an excellent combination of humility and an even keeled temperament that will serve him well. In my discussions with other attorneys, it is clear that he has an excellent reputation in the legal community. Prior to his current work, I remember when Mr. Nakashima was a judge on the District Court. Our police officers interact with the courts every day and many testified before Mr. Nakashima when he was on the District Court. The feedback I received is that he was fair minded, treated our officers and everyone else who came before his court with respect and made his rulings based on the facts and law of the case. With the amount of experience and legal skills Mr. Nakashima brings to the court, he will no doubt be an outstanding judge.

Thank you and I hope he will receive your committee's unanimous support.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tenari R. Ma'afala".

TENARI R. MA'AFALA
President

PRESIDENT
Tenari R. Ma'afala

VICE PRESIDENT
Malcolm Lutu

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MARR JONES & WANG

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August 2, 2010

Via E-Mail (JGOTestimony@Capitol.hawaii.gov)

Committee on Judiciary and Government Operations
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

**Re: Testimony in support of Judicial Nominee
Steven M. Nakashima, JC 2
Hearing Date: Tuesday, August 3, 2010
Hearing Time: 1:30 p.m.
Hearing Location: Conference Room 229, State Capitol**

Dear Chair Taniguchi, Vice Chair Takamine, and members of the Committee on Judiciary and Government Operations:

Nothing gives me greater pleasure than to express to you my unqualified support for the confirmation of my partner and dear friend, Steven M. Nakashima, to the position of District Court Judge for the First Circuit.

2010 marks twenty-three years that I have known Steve as a colleague, parent, and civic leader in the community. Since my summer clerkship at Goodwill Anderson Quinn and Stifel in 1987, I have worked closely with Steve representing clients of that firm, first as his associate and then as his partner, until he became a trial judge in 1994, and then again at Marr Jones & Wang,¹ when I joined the firm in 2004². Indeed, one of the reasons I decided to join the partnership of this firm was to once again have the opportunity to work together with Steve.

During my years at GAQS, I grew to admire and respect Steve's superior abilities as a legal advocate, including most impressively, his brilliant legal analysis, his articulate writing as evidenced in legal memoranda to the court, and his emphasis on civility among colleagues, even under the most adversarial circumstances. His experiences on the bench as a trial judge have only enhanced his concern for fairness and his compassionate nature.

¹ Formally Marr Hipp Jones & Wang, and prior to 2004, Marr Jones & Pepper.

² From 1998 until 2003, I was partners with the late Jared Jossem, Esq., with whom I practiced labor and employment law.

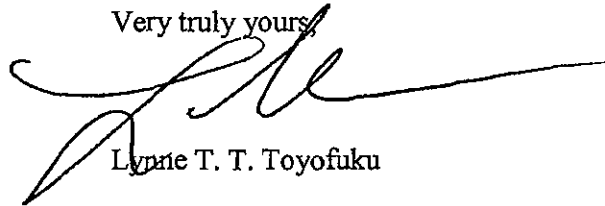
But what truly sets Steve apart from most of his colleagues of relatively equal experience, acumen, and talent, is his unique ability to speak his mind and get his point across in a way that does not polarize others. Succinctly stated, Steve possesses the ability to be decisive and straightforward while implementing a collaborative rather than a right/wrong approach in working with others. He is an active and concerned listener and encourages input from everyone involved in a task or decision.

Steve has also shown an interest in community service throughout his legal career; no matter how busy he is professionally and personally, he finds time to be a volunteer in community activities as the Founder and President of the Kaimuki High School Foundation, which provides educational opportunities for students from his alma mater and as a member of the Board of Directors of the Mediation Center for the Pacific. He was also an active parent at Iolani School, where his daughter Erin, and my son, Stephen, were in the Class of 2009.

In closing, while the confirmation of Steve to the Honolulu District Court will leave me without my closest colleague and partner at Marr Jones, the State of Hawaii would be gaining a brilliant and compassionate judge.

I strongly urge you to confirm the nomination of Steven Nakashima as a Honolulu District Court Judge. Thank you for your time and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lynne T. T. Toyofuku', with a long horizontal flourish extending to the right.

Lynne T. T. Toyofuku

LTTT:1fs

**TESTIMONY OF ROBERT TOYOFUKU IN SUPPORT OF THE NOMINATION
OF STEVEN M. NAKASHIMA TO THE DISTRICT COURT OF THE FIRST
CIRCUIT**

August 2, 2010

To: Chairman Brian Taniguchi and Members of the Senate Committee on Judiciary and Government Operations:

My name is Bob Toyofuku and I am an attorney licensed to practice in the State of Hawaii. I am testifying in strong support of the nomination of Steven Nakashima to the District Court of the First Circuit.

I have known Steve Nakashima for 20 years and he has an excellent reputation as a competent attorney and an excellent trial advocate. His background as a trial lawyer for many years gives him the necessary experience to handle the many types of cases that will come before him. He has always conducted himself in a professional manner and will definitely act in the same way as a judge.

He is a person of integrity and has the proper demeanor to be an excellent judge and will be an asset to the Hawaii State Judiciary. I have the utmost confidence that Steve will be an outstanding judge because of his ability, experience, intellect and sense of fairness. I wholeheartedly support his nomination and urge his confirmation by this committee and the Hawaii State Senate.

Thank you for the opportunity to present this testimony.

CHARLES K.Y. KHIM

Attorney-At-Law

Clifford Center, Suite 502
810 Richards Street
Honolulu, Hawaii 96813-4700

Telephone: (808) 537-5305
Facsimile: (808) 599-6218
E-Mail: ckhim@khimlaw.com

August 2, 2010

**Testimony in Favor of JC 2 - Confirmation of
STEVEN M. NAKASHIMA, ESQ.**

To: Chair: Sen. Brian T. Taniguchi, Esq.
Vice Chair: Sen. Dwight Y. Takamine, Esq.

Members: Senate Committee Judiciary and Government Operations

From: Charles K.Y. Khim, Esq. – Attorney at Law



My name is Charles K.Y. Khim, Esq. and I am an attorney who is, and has been, licensed to practice law in Hawaii for the last thirty (30) years, and have actively done so.

Thank you for this opportunity to present testimony in favor of JC 2, a message from the Chief Justice which informed the Hawaii State Senate of the judicial appointment of Steven M. Nakashima, Esq. to the position of Judge of the District Court of the First Circuit of the State of Hawaii, and requested that the Hawaii State Senate confirm his foregoing nomination.

I have had the pleasure of knowing Attorney Nakashima professionally for about twenty-seven (27) years. During this period of time, I have gained only the highest opinion of his legal abilities. He is a highly intelligent person who understands complex legal issues, and thus is more than qualified to deal with the relatively simple legal issues which arise in District Court.

Hon. Brian T. Taniguchi, Esq.
August 2, 2010
Page 2

Equally important is Mr. Nakashima's sense of justice and fair play. Mr. Nakashima has a strong, correct notion of what is right and what is wrong, a strong sense of justice and fair play, and will be able to successfully make the transition from advocate to adjudicator.

Usually, the State of Hawaii is unable to be able to attract as District Court Judges high caliber attorneys like Mr. Nakashima. Fortunately for the people of Hawaii, we were able to obtain the agreement from Mr. Nakashima to take a significant cut in pay in order to serve as a District Court Judge.

Thank you for this opportunity to present testimony before this honorable committee. If any committee member has any questions, I will be more than glad to answer them at the appropriate time.

CKYK:rwd

**LATE
TESTIMONY**

From: Darin Leong [DLeong@marrjones.com]
Sent: Tuesday, August 03, 2010 11:16 AM
To: JGO Testimony
Subject: Steven M. Nakashima

LATE

To: Committee on Judiciary and Government Operations, Senator Brian T. Taniguchi, Chair, Senator Dwight Y. Takamine, Vice Chair

Hearing Date: August 3, 2010, 1:30 p.m.

Re: Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee Steven M. Nakashima

Dear Committee:

I am writing in support of the nomination of Steven M. Nakashima to the First Circuit District Court. Mr. Nakashima possesses a judicial mind of the highest intellect, judgment informed by many years of practice, and judicial experience that is needed in a judiciary with numerous newly appointed judges.

I have worked closely with Mr. Nakashima for the past four years. During that time, I have come to know him as an exceptional legal mind. Mr. Nakashima's style of litigation exudes thoughtfulness, sharp analytical analysis and practical judgment, all qualities that are desired in a judge. We have spent many hours working together, sometimes in time-sensitive cases. During those moments, Mr. Nakashima displayed consistency and calm. He is a legal practitioner of the highest order.

Mr. Nakashima also exudes integrity and honesty. In the cases we have litigated together, he has consistently demonstrated candor and a "straight-forward" litigation style with opposing counsel and the courts. He is always honest. Mr. Nakashima is respected and well known in the legal community as being an attorney whos word you can trust.

Over the past few years, I have had numerous conversations with Mr. Nakashima about his desire to return to the bench. Initially, I wondered why Mr. Nakashima would want to leave private practice since it would amount to a significant reduction in pay. Through those conversations, it became clear to me that Mr. Nakashima has a singular purpose and desire: he wants to work where he believes he would have the most positive impact on the community. It is this desire to serve the community that exudes in Mr. Nakashima's personality and actions.

I have come to understand that Mr. Nakashima's decision to leave the bench several years ago, and his desire to return, are driven by the same internal principle: doing what is best for those around him. In 1999, Mr. Nakashima left the bench so that he would be able to provide a private school education for all of his three children. As a recent parent, I now personally understand the value of providing opportunities for my children, and understand what led Mr. Nakashima to the difficult decision to leave the bench. Mr. Nakashima's desire to return to the bench is guided by the same ideals of enhancing the lives of others. He wants to serve.

Our firm's loss is the judiciary's gain. Mr. Nakashima is irreplaceable, in terms of experience and expertise, as well as the selfless attitude he brings to work.

Please do not hesitate to contact me if you need further elaboration or have any follow-up questions.

Sincerely,
Darin Leong

Darin R. Leong, Esq.
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LATE

From: Edna Bartolome [EBartolome@marrjones.com]
Sent: Tuesday, August 03, 2010 11:29 AM
To: JGO Testimony
Subject: Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee Steven M. Nakashima

Committee on Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Hearing Date: August 3, 2010, 1:30 p.m.

Dear Senators:

It has been my great pleasure to have worked with Mr. Steven Nakashima. Mr. Nakashima is a man of good character. He is exceptionally kind and a good listener. I have no doubt he will make a very wise judge. Thank you!

Very truly yours,

Edna T. Bartolome
Telephone: (808) 536-4900
Facsimile: (808) 536-6700
Email: ebartolome@marrjones.com

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From: Leighton Hara [lhara@marrjones.com]
Sent: Tuesday, August 03, 2010 11:38 AM
To: JGO Testimony
Subject: Committee on Judiciary and Government Operations, Senator Brian T. Taniguchi, Chair, Senator Dwight Y. Takamine, Vice Chair

Committee on Judiciary and Government Operations, Senator Brian T. Taniguchi, Chair, Senator Dwight Y. Takamine, Vice Chair

Hearing Date: August 3, 2010, 1:30 p.m.

Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee Steven M. Nakashima

I wish to submit testimony in support of the confirmation of Judicial Nominee Steven M. Nakashima. I believe that Steve Nakashima is imminently qualified to serve as a District Court Judge based upon his prior clerking experience, his extensive litigation background in the private sector, and his overall demeanor.

I have been a proud member of Hawaii's Bar since 2002 and have had the privilege of working as a law clerk for the Honorable Riki May Amano and Terence T. Yoshioka in the third circuit. Through my career as a practicing attorney, I have worked alongside prominent attorneys including Ken Robbins, John Komeiji, J. Douglas Ing and Melvyn Miyagi. I've also worked with numerous attorneys from the Marr Jones & Wang firm, where I met Mr. Nakashima. I can say without a doubt that Mr. Nakashima would make a fine judge.

I have worked alongside Mr. Nakashima on several employment and contract related cases while at Marr Jones. He has been a great mentor and colleague who sets a fine example for all of us at the firm to follow. He is very compassionate and is an excellent facilitator for the staff, associates, and partners. I'm proud to have had an opportunity to have worked with him and support his confirmation wholeheartedly.

I also believe that Mr. Nakashima's personal history --graduating from Kaimuiki high school, participating in sports, and being active in civic affairs-- will serve him well on the bench as he will be able to identify with many of the individuals seeking his assistance in resolving their disputes. Mr. Nakashima is a good person, a great attorney, and an excellent mentor. I believe he will make an excellent judge.

Please feel free to contact me if you have any additional questions or concerns.

Thank you,
Leighton

Leighton M. Hara
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From: Jason Minami [JMinami@marrjones.com]
Sent: Tuesday, August 03, 2010 11:50 AM
To: JGO Testimony
Subject: Testimony in Strong Support of District Court of the First Circuit, Judicial Nominee Steven M. Nakashima

Committee on Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair, Senator Dwight Y. Takamine, Vice Chair
Hearing Date: August 3, 2010, 1:30 p.m.
Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee Steven M. Nakashima

Dear Chair Taniguchi, Vice Chair Takamine, honorable members of the Committee,

I am writing in strong support of the confirmation of District Court of the First Circuit, Judicial Nominee Steven M. Nakashima. As an associate attorney at Marr Jones & Wang, I have had the distinct pleasure to work very closely with Mr. Nakashima on various cases and can say with absolute confidence that he possesses the legal acumen, integrity and temperament to make an outstanding judge.

Mr. Nakashima has been the consummate mentor to many of us at the firm. He is extremely generous with his time, and is often the go-to person for questions on random areas of law. He provides the practical advice and thoughtful legal analysis that all young attorneys strive to possess. Without question, Mr. Nakashima will bring the same practical and thoughtful legal analysis in rendering his decisions from the bench, whether it be for criminal or civil cases. Although he will be sorely missed at the firm, the community will undoubtedly benefit from his wisdom and experience.

Please do not hesitate to contact me if you have any questions or would like further information regarding my testimony.

Sincerely,
Jason Minami

*Jason M. Minami, Esq.
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LATE

Committee on Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

Dear Committee Members:

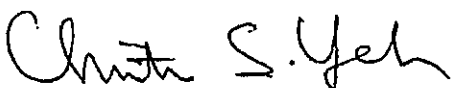
This is submitted with regard to the August 3, 2010, 1:30 p.m. hearing in consideration of Judicial Nominee Steven M. Nakashima's appointment to the District Court of the First Circuit.

Steven and I have worked at the same law firm (now called Marr Jones and Wang) since 1999. At that time, I had recently joined the firm as a mid-level associate, and he had recently joined the firm as a partner. Over the past 11 years, I have consistently found Steven to be an excellent attorney – thoughtful, deliberate, and very clear in his communications. Just as importantly, I have consistently found him to be a superb mentor and a compassionate individual. He is always willing to help others and to generously spend time working through issues that do not directly pertain to his own caseload. He also has a poised and jovial demeanor that helps everyone remain calm, even during the most challenging situations and deadlines.

I am also aware of the sincerity of Steven's desire to return to the bench. He speaks fondly of his years as a judge, and while I would be genuinely saddened to see him leave the firm, I fully support his nomination and believe he would do an excellent job as a District Court judge.

Thank you kindly for your consideration.

Sincerely,



Christopher S. Yeh

cyeh@marrjones.com
566-5630

LATE

1045 Kopke Street
Honolulu, HI 96819

16 July 2010

Senator Brian T. Taniguchi
Chair, Judiciary Committee
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, Hawaii 96813

SUBJECT: Letter of support for Mr. Steven M. Nakashima

Dear Senator Taniguchi,

I am writing in support of Mr. Steven M. Nakashima's appointment on the State District Court bench. I have known Steve for approximately 19 years. Initially as a fellow parent in support of our sons with the American Youth Soccer Association (AYSO) program and most recently in support of the World War 2 100th Infantry Battalion Veterans organization.

Initially, my dealing with Steve was as highly supportive parents to our sons AYSO team. I recall Steve providing more than his share of time and dedication towards supporting the parent referee initiative and team refreshment committee. He was dependable, always remained pleasant, friendly and cordial to other parents and a highly supportive parent to the team.

During the past years, Steve was also seen on many a occasion in support of his children school events at Iolani School. He took assignments that many parents would not want. I know that managing the parking area for the Iolani School Family Fair is a hot and dusty job but one that Steve took on, performed well and as always in a willingly fashion.

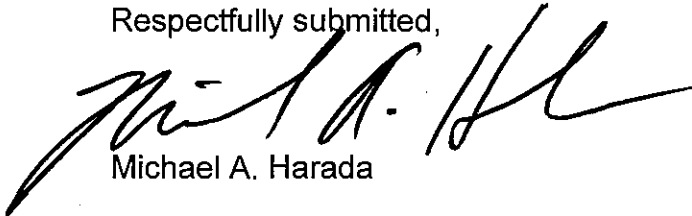
Most recently, Steve has provided pro-bono legal support to the World War 2 100th Infantry Battalion Veterans organization. As president of this club, I have called upon Steve to provide us counsel on several occasions dealing with personnel issues. Steve has provided invaluable counsel in helping organize and resolve issues of concern. He has taken the time and effort to ensure what counsel he provides is substantiated, prudent and defensible. We were able to resolve all issues and I credit Steven's input as an integral part toward our amiable resolutions.

SUBJECT: Letter of support for Mr. Steven M. Nakashima

In the past, I also had the opportunity to speak with Steve during his earlier court bench appointment. In discussion with Steve there is no doubt on my part that he took his court appointment with humility and as a point of honor in serving our State and country. I believe he maintains and will continue to purvey a calmness and consideration which will leads to a credible judiciary system in service of our community.

Having firsthand account, I can attest to Steve Nakashima's dedication to duty and his deep rooted values which serves him, his family and our community. It is because of my past and current experiences with Steve that I am highly supportive of his appointment to the State District Court bench and I ask your favorable consideration toward his appointment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Harada", written in a cursive style with a long horizontal flourish extending to the right.

Michael A. Harada