

January 10, 2013

**Trecker  
&  
Fritz**

**Attorneys At Law**

**VIA E-MAIL (JDLTestimony@Capitol.hawaii.gov)**

Senator Clayton Hee, Chair  
Senator Maile Shimabukuro, Vice Chair  
Judiciary and Labor Committee  
Hawaii State Capitol, Room 407  
415 S. Beretania Street  
Honolulu, HI 96813

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Of Counsel:  
Steven J. Trecker

Re: GM 501  
Dean E. Ochiai as Judge of the State of Hawaii  
First Circuit Court for a term of 10 years – Support  
Hearing Date/Time: Friday, January 11, 2013, 11:30 a.m.

Dear Senator Hee and Senator Shimabukuro:

I am an attorney who has been practicing in Hawaii for over thirty years. I have known Dean Ochiai for nearly thirty years. I have worked with him as a lawyer. Dean brings extensive and superior experience as a trial lawyer in a wide variety of cases. In particular, I have been opposing counsel to Dean in cases ranging from premises, medical negligence, products and automobile. In all of these cases and the entirety of my dealings with Dean, he has been highly competent and displayed the highest standards of legal practice.

Dean has also been managing partner of his law firm as I have for mine. From time to time, we have talked about management practices. I believe him to be a competent and experienced manager.

As a former Director of the Hawaii State Bar Association, I know firsthand that Dean is highly regarded and respected in our legal community. His character, ethics, legal skill and commitment are of the highest caliber. It is my belief that he would make an excellent Judge and be a real asset for the State of Hawaii. I heartily support him for the position of Judge of the State of Hawaii First Circuit Court.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



Collin M. (Marty) Fritz

CMF:ns



December 28, 2012

The Honorable Donna Mercado Kim  
Senate President  
Hawai'i State Capitol, Room 210  
415 South Beretania St  
Honolulu, HI 96813

The Honorable Clayton Hee  
Chairman, Senate Judiciary and Labor Committee  
Hawai'i State Capitol, Room 407  
415 South Beretania St  
Honolulu, HI 96813

RE: Confirmation Of Dean E. Ochiai as Circuit Court Judge

Dear President Kim and Chairman Hee:

Please take this letter as written testimony in strong support for the confirmation of the Honorable Dean E. Ochiai as Circuit Court Judge.

I have known Judge Ochiai for over twenty (20) years, at times as an opposing litigation attorney, and I have also had the honor and privilege of working together with him on the Judiciary's Civil Pattern Jury Instruction Committee, prior to his initial judicial appointment.

I have found his professional ethics, integrity, diligence, legal knowledge, legal ability, and temperament to be of the highest quality, and I am confident that he would be an excellent Judge of the Circuit Court of the First Circuit.

In short, Judge Ochiai has my highest recommendations.

Thank you for your time and attention to this matter.

Very Truly Yours,



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WARD F.N. FUJIMOTO

# LEAVITT, YAMANE & SOLDNER

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JAMES T. LEAVITT, JR.  
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*Of Counsel:*  
MICHAEL R. CRUISE

January 3, 2012

Clayton Hee, Chairperson  
Senate Committee on Judiciary and Labor  
Hawaii State Capitol, Room 407  
Honolulu, Hawaii 96813

RE: Judge Dean Ochiai Circuit Court Nomination

Dear Senator Hee:

As the Senate Committee on Judiciary and Labor will soon be voting on Governor Abercrombie's recent First Circuit Court nomination, I would like to say a few words in support of District Judge Dean Ochiai.

I have known Judge Ochiai for over 20 years. I got to know him when he was the senior attorney at his law firm – basically, the in-house counsel for First Insurance Company.

I had several cases where he was on the other side of the table; he was always a strong adversary. But always completely ethical and friendly. He knows the law and doesn't have any "quirks". Most importantly, he has both "litigation" and "trial" experience, something that I believe a judge should have.

I hope that you will vote to confirm Governor Abercrombie's nomination. Dean Ochiai would be an excellent Circuit Court judge.

Very truly yours,



JAMES T. LEAVITT, JR.

Nathan J. Sult  
Attorney at Law  
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January 10, 2013

Hawaii's State Senate Committee on Judiciary and Labor  
The State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: Testimony in Support of the Nomination of Dean Ochiai to the Circuit Court (G.M. 501)

Dear Chairman Hee and members of the Committee,

It is a pleasure to submit testimony in support of the nomination of District Judge Dean Ochiai as a Judge of the Circuit Court of the First Circuit.

I have observed and worked with Judge Ochiai in a number of contexts over the years. In our dealings, Dean has always impressed me as a "straight shooter"--if he promises something, one can count on it being done both on time and with high quality. He has also impressed me as someone who relates particularly well to a variety of people, and is invariably kind and well-mannered in carrying on a conversation.

Dean is a frequent instructor for the Judiciary's volunteer arbitrator training sessions for the Court-Annexed Arbitration Program. In that role, he strikes an appropriate balance between keeping the material interesting for attendees who are very experienced in personal injury law, but not too complicated for those who are unfamiliar with the complexities of our no-fault insurance laws. This is no easy task. Dean is always open to answering questions during the sessions, and handles the occasional off-the-mark question or comment from the audience with tact and good humor.

My most recent experiences have come from serving with Dean on the Disciplinary Board of the Hawaii Supreme Court. In his work on the Board, Dean has demonstrated strong legal analytical skills, good command of the facts in the cases being decided, articulate and persuasive communication of his views, and an even temper. Preparing for Board meetings often requires reading and analyzing a thick stack of legal memoranda and exhibits covering several cases. Dean comes to our meetings well prepared, and asks appropriate questions of the lawyers presenting their clients' positions to the Board.

Based on my dealings with Judge Ochiai, I believe he will make a fine addition to the Circuit Court bench. Should you have any questions concerning this testimony, please feel free to contact me.

Very truly yours,



Nathan J. Sult

# Times Pharmacy

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01/08/13

Senator Clayton Hee  
Chairman  
Senate Judiciary Committee

Dear Senator,

I am writing to you on behalf of Dean Ochiai. I strongly support Dean in his confirmation to be a Circuit Court Judge. He has the temperament, intelligence, and sense of fairness that will make him an outstanding choice to fill the current vacancy.

My relationship to Dean is totally on the professional side. I do not know his family, nor have I socialized with Dean other than an occasional lunch or golf date. I am also not related to Dean in any way.

I have known Dean since the mid 1990's when I was the Director of Human Resources for Times Super Market and he was working for First Insurance as their VP and Managing attorney. We worked very closely on many cases and Dean was always very fair with everyone – the claimant, my company (Times), and First Insurance. I saw “up front and personal” how he dealt with people and he always impressed as someone who respected others, no matter what the issues may have been. Dean always tried to find the “middle ground” in sometimes contentious issues. He really did act like a “judge” in those days and we did find solutions rather than “win” cases.

When Dean first informed me that he was going to try for a judgeship, my first reaction was: he would make a great judge!! In addition to what I have mentioned above, Dean has the ability to simplify complex legal concepts. He explained things to me, a novice, so that I could understand what the issues were and, together, we could determine the best way to resolve claims. Dean is a very smart guy with great communication skills.

Dean is doing a great job as a District Court judge and I am sure he will do the same at the next level.

Please confirm Dean Ochiai for the Circuit Court bench.

I can be reached at 832-8261 if there are any questions.

Sincerely,

Clifford Hayashi  
Director of Pharmacy

Times Super Market Pharmacy Division  
1620 N. School Street • Honolulu, HI 96817 • (808) 832-8262





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January 9, 2013

Senator Clayton Hee, Chair and  
Members of the Senate Judiciary Committee  
Hawaii State Senate  
Via email senhee@capitol.hawaii.gov

Dear Senator Hee and members of the Judiciary Committee,

We are submitting our support of **Dean Ochiai** for First Circuit Court judgeship for a term of 10 years.

Judge Ochiai has served since June 2011 as a First Circuit District Court Judge appointed by Chief Justice Recktenwald. He has extensive experience in criminal law as a prosecutor and has litigation practice in diverse areas of civil law in public as Corporation Counsel and in private practice.

He served the judiciary and our community well and is committed to improving both. He served on Supreme Court Committees (Pattern Civil Jury Instructions Committee, Attorneys' Disciplinary Board, and Judicial Arbitration Commission) and non-profit organizations (Castle Colleagues, Weinberg Fellows). His commitment to some of these organizations extend over 20 years.

I have known Mr. Ochiai for over 15 years in his position at First Insurance Co. of Hawaii. I believe he brings a unique business perspective with strength and balance in judicial issues. He is very well qualified and has always been fair in his decisions. He has earned the respect among colleagues and clients through his actions, decisions and deeds.

I believe Mr. Ochiai has been strong and fair as a judge for the First Circuit District Court and hope you will give him the opportunity to serve as a Circuit Court Judge for the next ten years in the State of Hawaii First Judicial Circuit.

Sincerely,

A handwritten signature in black ink that reads "Barry K. Taniguchi". The signature is written in a cursive, flowing style.

Barry K. Taniguchi  
President

**THE HONORABLE CLAYTON HEE, CHAIR**  
**SENATE COMMITTEE ON JUDICIARY AND LABOR**  
**Twenty-Sixth State Legislature**  
**Regular Session of 2013**  
**State of Hawai`i**

January 10, 2013

**RE: GM 501, Submitting for consideration and confirmation to the District Family Court of the First Circuit, State of Hawaii, Judicial Nominee, Dean E. Ochiai, for a term of ten years.**

Chair Hee, Vice-Chair Shimabukuro and members of the Senate Committee on Judiciary and Labor, I submit the following testimony in support of JC1, the appointment of Dean E. Ochiai to the Circuit Court of the First Circuit, State of Hawaii, for a term of ten years.

I believe Judge Dean Ochiai will serve as an excellent judge because he is compassionate, intelligent, and professional.

From 2011 to 2012, I got to work in Judge Ochiai's courtroom in Honolulu and Waianae as a Deputy Prosecuting Attorney. I called calendar and litigated trials before the judge, and he was always a pleasure to work with. Judge Ochiai has a very constructive way in teaching young attorneys his knowledge and experience. He often comes out to talk with attorneys after our court work is done. One time, he even helped me pack my cases when I was with him in Waianae District Court. Also, many attorneys have told me how much they respect him. I personally have learned a lot from Judge Ochiai and see him as a mentor for attorneys, futures judges, and future leaders in general.

It is for these reasons that I support Judge Dean E. Ochiai to the Circuit Court of the First Circuit, State of Hawaii. Thank you for the opportunity testify on this matter.

With Warmest Aloha,  
Jon Riki Karamatsu