

March 20, 2018

Committee on Judiciary
Senator Brian T Taniguchi, Chair
Senator Karl Rhoads, Vice Chair

Subject: JC3 Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee, KEVIN T. MORIKONE, for a term to expire in 6 years

Dear Senator Taniguchi, Judiciary Committee Chair and Members of the committee:

It is with great pleasure that I write this recommendation for Kevin T. Morikone. I have known Mr. Morikone professionally for over ten years through his involvement with the Oahu Interscholastic Association (OIA). I first met Mr. Morikone while I was the athletic director at Kapolei High School. He attended our quarterly Principal / Athletic Director meetings and provided insight in to areas of discussion.

In July 2009 I continued to work with the OIA in my new position as the principal at Kapolei High School. As principal, I really began to understand the value of Mr. Morikone's advice to the organization. As I took on leadership positions in the OIA, first as the Protest, Interpretation, Review and Sanction Committee Chair, then Vice President, and President; I really learned to appreciate Mr. Morikone insight into complex topics. In 2010 in a much publicized controversial incident in which an OIA member school played an ineligible player, which in turn cost them the opportunity to play in the OIA Championship after an undefeated season and also cost them a berth in the HHSAA State Tournament, Mr. Morikone helped me directly by preparing me for trial as the member school looked to sue the OIA. Prior to this I have never had any experience being a witness in a court case. His ability to make me feel comfortable, by helping me to remain focused on the facts of the case and not be consumed by the community pressure and heartfelt passionate arguments was very reassuring.

Since then, Mr. Morikone has continued to provide excellent research into other controversial areas such as transgender student's rights as well as his insight in to our much debated transfer rule. He always provides the OIA with pertinent information and the legal grounds in which we will have standing. Even when discussion may be shifting to a side, he does not waver. His sense of integrity has always been more important than what is politically correct. His unbiased views ultimately help us to make the best educated decisions for the student-athletes of the OIA.

On a side note, as a long time educator one of the things that I really appreciate is when former students come back to support their school. As the former principal of a high school, its an extra special feeling when students come back to teach or service at their

**Page 2 - consideration and confirmation to the District Court of the First Circuit,
Judicial Nominee, KEVIN T. MORIKONE**

alma mater. Mr. Morikone did it one better, as a graduated athlete of Kalani High School, he not only gave back to his school but he came back to serve the OIA. I can't impress upon you how impactful his presence is to our organization. It makes me and my fellow principals very proud that we can say he is born and bred through the public school system. He is truly one of ours.

Mahalo nui for allowing me to share about Kevin T. Morikone. If you have further questions, please feel free to call me via my cell at 808-351-6674 or email me at elden_esmeralda@notes.k12.hi.us

Sincerely,



Elden M. Esmeralda
Former Principal Kapolei High School
Past President of the OIA

GM-3

Submitted on: 3/20/2018 5:52:29 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Raymond Fujino	Testifying for Oahu Interscholastic Association	Support	No

Comments:

My name is Raymond Fujino and I am the Executive Director of the Oahu Interscholastic Association (OIA). I am writing in strong support of Mr. Kevin Morikone's confirmation to fill the vacancy in the District Court of the First Circuit.

Mr. Morikone has been serving as the OIA's pro bono legal counsel since I started as the Executive Director in 2011. He has given us invaluable advice on numerous issues when there were challenges to our Constitution and By Laws. Mr. Morikone exhibited his abilities when advising our league member principals and athletic directors providing clear and concise explanations and foreseeing the ramifications of the decisions. His advice was not always agreed upon by the members but he took the feedback into consideration and if he remained firm in his advisement, he would demonstrate an understanding of the situation under control and with an even temperament.

In the seven years that I have known Mr. Morikone and having the benefit of his services to our organization, he has been a calming and reassuring presence in the often stressful times of need. He has made my job as the Executive Director easier and I have grown in all aspects of my duties from his example. I believe his assets are synonymous with the major qualities of this most prestigious appointment.

On behalf of the OIA, thank you very much for this opportunity to testify for Kevin Morikone.

GM-3

Submitted on: 3/20/2018 6:07:45 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Disa Hauge	Individual	Support	No

Comments:

March 20, 2018

To: Senator Brian Taniguchi, Chair

Senator Karl Rhoads, Vice Chair

RE: JC3, Appointment of Kevin Morikone

I am Disa Hauge and in my official capacity I am the Principal of Wai'anae High School. I am writing as a personal citizen to support the appointment of Kevin Morikone to a judgeship. In my experience with Mr. Morikone as the pro bono attorney who supports the OIA, I have found him to be reasonable, thoughtful and thorough. I believe he will be a fair and thorough judge and ask for your consideration of his appointment.

HB-3-SD-1

Submitted on: 3/20/2018 11:54:41 AM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph A Stewart	Individual	Support	No

Comments:

I would like to provide a strong recommendation that Kevin Morikone be confirmed for the position of District Court Judge to the First Circuit. I have known Kevin for more than ten years and have worked with him on several matters. In all of my dealings, I have been impressed with his judgment, temperament and compassion. He has the correct balance of both a thorough knowledge of the law and sense of fairness that we should demand of our judiciary.

I believe he will be a very successful judge and a credit to our judiciary for years to come.

Please let me know if there is anything further that I can offer to support his candidacy.

Joseph Stewart

Managing Partner

Kobayashi, Sugita & Goda

HB-3-SD-1

Submitted on: 3/21/2018 3:26:09 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Corlis J. Chang	Individual	Support	No

Comments:

It is my pleasure to write in support of the confirmation of Kevin T. Morikone as a State District Court Judge for the State of Hawaii.

I have been a litigator in Hawaii for over 30 years--with Goodsill Anderson Quinn & Stifel LLP since April 1987, and most recently in my own firm since April 2017. Over the course of those many years as a litigator, I have worked with many fine attorneys throughout the State.

I have know Kevin for over 5 years as we have been both co-defense counsel in several cases and adversaries in others. In all my dealings with Kevin, I have found him to be an effective, yet courteous advocate and adversary. I have observed his ability to reach out to others to forge a solution (whether it be in a discovery or other dispute). This ability has made him an effective per diem judge in the family law arena and will serve him well as a District Court Judge for the Family Court.

Kevin has demonstrated that he can capably handle a court calendar. I have close friends who practice in family court who have given high marks to Kevin for his even-handedness and practical approach to resolving matters.

Kevin's easy "local-style" approach will serve him well as a judge. As District Court is the court where most of our community will have its first (and perhaps only) experience with the legal system, it is important that community members can identify with and feel confident in the judicial system. It is my firm belief that Kevin would do just that.

I wholeheartedly support Kevin and stand ready to answer any further inquiries concerning his qualifications.

Sincerely,

Corlis J. Chang

Aphirak Bamrungruan
411 Hobron Lane
Honolulu, HI 96815
Phone: (808) 271-2137
Email: aphirakb@gmail.com

March 21, 2018

The Honorable Senator Brian T. Taniguchi
Chair, Senate Committee on Judiciary
Hawaii State Capitol
Honolulu, Hawaii 96813

RE: Testimony in strong support of JC 3

Dear Chair Taniguchi, Vice-Chair Rhoads, and Members of the Senate Committee on Judiciary:

My name is Aphirak Bamrungruan and I am the Executive Director of the Office of Language Access, State of Hawaii. I submit this testimony in my personal capacity in strong support of KEVIN T. MORIKONE's appointment to the District Court of the First Circuit.

I have known Mr. Morikone for over 14 years since we were both students at the William S. Richardson School of Law. I have always known Mr. Morikone to be forthright and diligent. His positive attitude and current experience as a per diem judge at the Family Court, First Circuit will be an asset to the judiciary branch and the people of Hawaii.

Respectfully submitted,



Aphirak Bamrungruan



March 22, 2018

Via Email

The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
Committee on Judiciary
Hawaii State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Re: JC3; Testimony in Support of the Confirmation of Judicial
Nominee Kevin T. Morikone, for the District Court of the First Circuit

Dear Chair Taniguchi, Vice Chair Rhoads and Members of the Committee:

I write to express my support for the nomination of Kevin T. Morikone for the position of judge of the District Court of the First Circuit. Kevin and I were law school classmates at the William S. Richardson School of Law and had several classes together. My observation of Kevin was that he was smart, hard-working and committed to high quality legal work. I was aware that he had been working towards the goal of becoming a judge for several years, and was happy to see his nomination for the District Court. I believe Kevin would be a great asset to the judiciary and strongly recommend confirmation of his nomination.

Thank you for considering my testimony. Please contact me if you have any questions at ajones@cades.com or (808) 521-9232.

Sincerely,

A handwritten signature in cursive script that reads "Amanda M. Jones".

Amanda M. Jones

CHEE MARKHAM & FELDMAN

KEVIN S.W. CHEE
GREGORY K. MARKHAM
KALE FELDMAN
KEITH K. KATO
DANIEL T. KIM
DEVON I. PETERSON
RYAN K. MARKHAM
BRANDON Y. MORIKI
SEAN FITZSIMMONS
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March 22, 2018

VIA ELECTRONIC SUBMISSION

Honorable Brian T. Taniguchi, Chair
Honorable Karl Rhoads, Vice Chair
Senate Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: JC3 – Confirmation of Judicial Nominee Kevin T. Morikone
to the District Court of the First Circuit, State of Hawai'i

Dear Senator Taniguchi, Senator Rhoads and the Members of the Committee:

It is with great pleasure that I submit this letter in support of the confirmation of Kevin Morikone for the office of District Judge of the District Court of the First Circuit, State of Hawai'i.

I have known Mr. Morikone for approximately eight years, and have crossed paths with him on numerous occasions in connection with the negotiation and litigation of commercial and construction disputes. I have found Mr. Morikone to be a "straight-shooter" whose word is his bond, which unfortunately appears to be an exceedingly rare trait today. He conducts himself with the utmost integrity, and his conduct in the practice of law is beyond reproach.

Mr. Morikone possesses a superior intellect as well, and that has been reflected in the discussions that I have had with him and in the legal memoranda/briefs and correspondence that I have received from him. The depth of thought and analysis, as well as the ability to digest and convey complex factual circumstances and legal positions with clarity have been evident in my dealings with him. He is a problem solver and is not someone who escalates already tense situations. Furthermore, he is level-headed and cool under fire, and does not take unfair advantage of adversaries.

Mr. Morikone has also diligently and capably served as a Per Diem District Court Judge, so he has the requisite experience as a judge to hit the ground running and serve the public from the get go. In short, Mr. Morikone is an exceptional and well-rounded person who has the requisite intellect, experience and demeanor to fully and faithfully discharge all of the duties associated with the judicial office of District Judge of the First Circuit, and I wholeheartedly urge the Members of the Committee to confirm his nomination.

Honorable Brian T. Taniguchi, Chair
Honorable Karl Rhoads, Vice Chair
Senate Committee on Judiciary
March 22, 2018
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If you should have any questions, please do not hesitate to contact me.

Respectfully submitted,



DANIEL T. KIM



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

Kevin T. Morikone
District Court Judge of the First Circuit (JC3)

TO: The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Howard K.K. Luke
President, Hawaii State Bar Association

Hearing: Wednesday, March 28, 2018 at 10:00 a.m.
Conference Room 016
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Kevin T. Morikone for the position of District Court Judge of the First Circuit.

The HSBA Board of Directors followed its multi-step process to inform the confirming authority of its findings.

- Notification to the nominee of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, personal references; a resume; a copy of the JSC application; a form authorizing disclosure from the Office of Disciplinary Counsel of any disciplinary action; and an interview with the HSBA Board of Directors.
- Notification via electronic transmission to the HSBA membership of the appointment and a request for comments on the nominee.
- Appointment of a three-person review Subcommittee of HSBA Board members by the President, which serves as a neutral fact-finding body to review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, and conduct follow-up member contact for clarification, if necessary, for presentation to the HSBA Board.
- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.

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James A. Kawachika

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Patricia Mau-Shimizu

Hawaii's Lawyers Serving Hawaii's People

- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.
- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board which culminates in either a qualified or unqualified vote.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Mr. Morikone on March 21st to discuss the Subcommittee's findings. On March 22nd, Mr. Morikone was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Mr. Morikone was reviewed and all of the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Mr. Morikone in categories of the HSBA criteria which include:

- Integrity
- Diligence
- Legal knowledge and ability
- Professional experience
- Temperament
- Financial responsibility
- Public service
- Health
- Ability to fulfill the responsibilities and duties of the position

After the interview of the nominee, which included dialogue and questioning relating to his background, experiences, and reasons for pursuing the position of District Court Judge of the First Circuit, the Board of the Hawaii State Bar Association found Mr. Kevin T. Morikone to be **QUALIFIED**.

From the beginning of his legal career as a law clerk for a Circuit Court judge, Mr. Morikone has been able to identify issues, conduct thorough research, and educate himself in areas of the law he was not familiar with. As a private practitioner in a small local firm, he is known to be professional, efficient, hardworking, and solution oriented. As a per diem Family Court judge since October 2015, Mr. Morikone has been able to manage his court calendar efficiently, and at the same time explain procedures and decisions to the parties, including pro se individuals, especially in cases involving the children.

Thank you for the opportunity to offer comments for consideration during the deliberations and decision making of this Committee.

GM-3

Submitted on: 3/25/2018 10:50:25 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristine Yoo	Individual	Support	No

Comments:

I strongly support the confirmation of KEVIN T. MORIKONE as the next District Court Judge of the First Circuit. I understand that he is a conscientious per diem Family Court Judge that is liked and respected by the attorneys that have appeared in front of him. I am confident that he will be an excellent judge. Thank you for your consideration of my support for Kevin Morikone.

HB-3-SD-1

Submitted on: 3/25/2018 9:41:45 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher T. Chun	Individual	Support	No

Comments:

Committee on Judiciary,

My name is Christopher Chun. I am the Executive Director of the Hawaii High School Athletic Association, a position that I have held for eight years. Prior to this, I was a litigation attorney for eight years. Throughout my legal career, I've worked alongside many fine attorneys, staff, and made great friends in the legal community, including Mr. Kevin Morikone. I met Mr. Morikone while I was an associate attorney with Lyle Hosoda. During this time, we were co-workers and became close friends. Although I left the firm to pursue my dream of working with Hawaii's student athletes, we have remained close.

Mr. Morikone has clearly prepared himself to be a Judge. Becoming a legal clerk, litigation attorney, and per diem Judge was done with diligence and a purpose of fulfilling this longtime goal. Throughout his career, Mr. Morikone built up his professional competence and legal ability. Mr. Morikone not only prepares his cases, but he studies the viewpoints of opposing counsel and the bench as well. Mr. Morikone understands that it is his job to be prepared, but more importantly, he actually takes pleasure in it. Mr. Morikone thoroughly loves the law. He enjoys studying it, talking about it, and living it. As a Judge, there is no doubt in my mind that he would protect it as well.

What I feel truly separates Mr. Morikone is he is very diverse and for lack of a better word, real. Mr. Morikone has many talents, most notably, he sings, plays softball, and can build things around the house. I guess what I am trying to say is people can relate to him, and he can relate to those that will appear before him in Court. Not only will he be an expert of the law, but he will be able to understand real problems that are presented to him. People will accept his decisions, because he understands the scope in which he makes them. Someone once told me that what stood out about Mr. Morikone is that he's prepared, professional, and very articulate in explaining case law in everyday terms.

Mr. Morikone is full of characteristics that make him well suited to be a Judge. He is honest, trustworthy and full of integrity. People gravitate toward him, because they value his opinion. He is fair and impartial. He has the temperament and compassion to fulfill the responsibilities as a Judge. Mr. Morikone is the type of person where you would not

only look to him for his opinion, but accept it once he provides it to you. He is an extremely good listener.

You have the opportunity to confirm Mr. Morikone to become a Judge for the District Court of the First Circuit. It would be amazing to see what Mr. Morikone will go on to accomplish given this opportunity. I envision that he will make you and Hawaii very proud. Thank you for taking the time to read this.

Christopher T. Chun
Executive Director
Hawaii High School Athletic Association
P.O. Box 62029
Honolulu, Hawaii 96839
www.sportshigh.com

GM-3

Submitted on: 3/25/2018 11:40:35 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Alivado	Individual	Support	No

Comments:

March 26, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Chairman Sen. Brian T. Taniguchi
Vice Chairman Sen. Karl Rhoads
Senate Committee on Judiciary
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Colin O. Miwa
Cades Schutte Building
1000 Bishop Street, Suite 1200
Honolulu, Hawai'i 96813-4212
Direct Line: (808) 544-3841
Direct Fax: (808) 521-9210
Email: cmiwa@cades.com

Re: **JC 3: Submitting for consideration and confirmation to the District Court of the First Circuit, Judicial Nominee, KEVIN T. MORIKONE, for a term to expire in 6 years.**

Dear Senator Taniguchi and Senator Rhoads:

Thank you for the opportunity to submit my personal comments in support of District Court of the First Circuit nominee Kevin Morikone.

I have been practicing law with my firm, Cades Schutte, since 1981. For most of those years, I have been handling commercial litigation matters with an emphasis on intellectual property disputes, but have also had a number of construction matters. Kevin has been opposing counsel in one of the construction cases.

Based on my dealings with Kevin in the case, I have found him to be technically competent as well as honest, fair and compassionate. Although he is opposing counsel, he has expressed a balanced view of the dispute, and has been open to exploring various avenues that might lead to a more committed involvement of the insurers in the pending mediation. His temperament is even-keeled, and he has been timely and diligent in responding to issues that have arisen. To the extent he may be assigned to Family Court matters, my comments may be somewhat limited as I haven't had any experience with Family Court matters. However, I believe Kevin would bring more than a passing familiarity with the challenges of the position in light of his nearly two years of service as a per diem judge with the Family Court.

I strongly support his confirmation.

Very truly yours,



Colin O. Miwa

LYONS, BRANDT, COOK & HIRAMATSU

GEORGE W. BRANDT
THOMAS E. COOK
JEFFREY A. GRISWOLD
BRADFORD F.K. BLISS
STEVEN Y. OTAGURO
STEFAN M. REINKE
PAUL R. GRABLE
EDQUON LEE
MALIA E. SCHRECK

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1800 DAVIES PACIFIC CENTER
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OF COUNSEL
SAMUEL A.B. LYONS
BEVERLY LYNNE K. HIRAMATSU
JAMES N. DUCA

March 26, 2018

VIA ONLINE SUBMISSION

Senator Brian T. Taniguchi, Chair,
Senator Karl Rhoads, Vice Chair, and the
Members of the Senate Committee on Judiciary
415 South Beretania St.
Honolulu, HI 96813

Re: JC3 – Consideration and Confirmation to the District Court of the
First Circuit of Judicial Nominee Kevin T. Morikone
Hearing: March 28, 2018, 10:00 a.m.; Conference Room 016

Dear Senators Taniguchi and Rhoads and Members of the Committee on Judiciary:

I am submitting this testimony to ask that you consider and recommend to the Senate the confirmation to the District Court of the First Circuit, State of Hawaii, of Judicial Nominee Kevin T. Morikone.

I have been a licensed attorney in the State of Hawaii since October 1983. I have known Mr. Morikone for the last 10 years while he has worked as a Circuit Court law clerk and in private practice for Hosoda & Morikone.

I have always observed Mr. Morikone to be respectful and conscientious. In a multi-party commercial dispute where our firms represented opposing parties, Mr. Morikone demonstrated the desired ability to approach contentious issues that came up in a mature and constructive manner. The solid attributes he exhibited allowed him to develop a good working relationship with opposing counsel in that lawsuit. During the time I have known him, I have always known and observed Mr. Morikone to be hard working, intelligent, competent, and trustworthy.

Mr. Morikone has served as a per diem family court judge. Although I have not had the chance to observe Mr. Morikone in court, I would expect that he has demonstrated good judicial temperament. Mr. Morikone is a sincere, fair, and reasonable person. I have no doubt he has the constitution and attributes to be fine judge. Mr. Morikone will be a welcomed addition to the Judiciary.

Senator Brian T. Taniguchi, Chair,
Senator Karl Rhoads, Vice Chair, and the
Members of the Senate Committee on Judiciary
March 26, 2018
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For these reasons, I respectfully ask that you and the Committee recommend Mr. Morikone's confirmation to the Senate.

Thank you for your consideration of my testimony. Please feel free to contact me if you have any questions.

Very truly yours:



Steven Y. Otaguro

SYO:md

Addison D. Bonner
500 Ala Moana Blvd., Ste. 3-499
Honolulu, Hawaii 96813

March 26, 2018

VIA EMAIL: (jdctestimony@capitol.hawaii.gov)

The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
Senate Committee on Judiciary
State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Re: JC 3- Judicial Nominee Kevin T. Morikone
Hearing: March 28, 2018, at 10:00 a.m.

Dear Chair Taniguchi, Vice Chair Rhoads, and Members of the Committee:

I write to whole-heartedly support confirmation of Kevin T. Morikone as a judge of the District Court of the First Circuit.

I first met Mr. Morikone in 2006, when our paths crossed as we were both law students at William S. Richardson School of Law. After graduating, I worked opposite Mr. Morikone on a number of matters while I was a deputy prosecuting attorney for the City and County of Honolulu. In April 2012, I accepted a position as an associate at the Hosoda & Morikone law firm, and there came to truly appreciate Mr. Morikone's intelligence, diligence, and integrity.

Throughout my time with the firm, I have experienced innumerable occasions where Mr. Morikone was instrumental in achieving favorable resolutions, whether through keenly perceptive analysis of facts, thorough research, or succinct explication of the practical implications of a course of conduct. Key to his success, was Mr. Morikone's rare ability to accurately gauge his audience and consistently select the approach that would be best received by the relevant party. I have no doubt that Mr. Morikone will be able to appropriately modify and apply these same techniques to efficiently work justice and better our community from the bench.

To close, I comment on my observations as to the work Mr. Morikone has done as a per diem judge in the family court since 2015. I have personally observed Mr. Morikone putting in hours many nights researching the statutes and case precedent applicable to the matters he handles on the various family court calendars. Mr. Morikone has a real love for the law, and I think is truly committed to putting in the time, on every case, to discern what he needs to in order to get to the heart of matters, and make the best decision. Simply put, Mr. Morikone is eminently qualified to be a District Court judge. I have no doubt that as a judge, Mr. Morikone will be a true asset to the Judiciary and our community.

The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
March 26, 2018
Page 2

Thank you for the opportunity to provide my thoughts and for your kind consideration.

Respectfully,

/s/ Addison D. Bonner

Addison D. Bonner

HB-3-SD-1

Submitted on: 3/27/2018 2:43:48 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryker Wada	Individual	Support	No

Comments:

Chair Taniguchi, Vice Chair Rhoads and Members of the Committee,

I submit this testimony is strong support of Mr. Morikone to serve as a District Court Judge in the First Circuit. In my experiences with Mr. Morikone he has proven insightful, intelligent and kind. I believe he will serve Hawaii well as a judge.

Thank you for the opportunity to testify

Ryker Wada

HOSODA & MORIKONE, LLC

ATTORNEYS AT LAW

Three Waterfront Plaza, Suite 499 • 500 Ala Moana Boulevard • Honolulu, Hawaii 96813

Telephone: (808) 524-3700 • Facsimile: (808) 524-3838

Lyle S. Hosoda
Kevin T. Morikone
Addison D. Bonner

Kristen A. Yamamoto
Lauren M. Nakamura
Kourtney H. Wong

March 27, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Senate Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

**RE: JC3 – Consideration and Confirmation to District Court of the
First Circuit, Judicial Nominee, Kevin T. Morikone**

Dear Chair Taniguchi, Vice Chair Rhoads and Committee Members:

This letter is to provide my testimony to the Senate Committee on Judiciary's consideration of Kevin T. Morikone, Esq. for a judgeship in the District Court of the First Circuit.

In my almost eight years of practice, I have worked for and appeared before numerous judges at the Appellate, Circuit, Family and District Court of the State of Hawaii. It is from these experiences that I know Mr. Morikone holds all the characteristics and abilities to be an outstanding judge in the District Court of the First Circuit.

Since July 2016, I have been an associate attorney in Mr. Morikone's law firm, Hosoda & Morikone, LLC. During this time, I have had the opportunity to work closely with Mr. Morikone and have learned a considerable amount under his tutelage. In the numerous cases that I have worked on with Mr. Morikone, he has always exhibited the highest degree of professionalism when dealing with opposing counsel, the court or clients. Moreover, Mr. Morikone's strong work ethic and keen legal knowledge is evident in the extreme care and concern that he has for each of his cases. It is because of these traits that Mr. Morikone has become a successful civil litigator and is well respected by his peers.

Mr. Morikone has taken the skills and traits from his private practice with him in his service as a per diem Family Court judge. As a per diem judge, Mr. Morikone treats all litigants and attorneys respectfully and always bases his decisions on the relevant law. He is fair, intelligent and professional. These are the indispensable qualities of a judge and Mr. Morikone has demonstrated time and time again that he has them, whether as a civil litigator or per diem judge. As such, Mr. Morikone has the moral character and judicial demeanor necessary for the bench and I am confident in his ability to serve as a District Court judge.

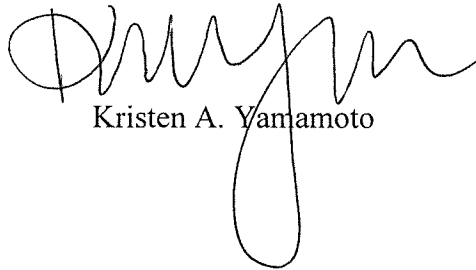
Senate Committee on Judiciary

March 27, 2018

Page 2

In conclusion, I know that Mr. Morikone will be successful as a judge because he possesses the qualities required and expected of all judges: intelligence, integrity, diligence, humility, compassion, fairness and professionalism. Furthermore, I know that the legal community, State Judiciary and the people of the Hawaii will be better off with Mr. Morikone on the bench. Therefore, I urge this Committee to confirm Kevin T. Morikone, Esq. to serve as a judge in the District Court of the First Circuit.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kristen A. Yamamoto', with a large loop at the end of the signature.

Kristen A. Yamamoto

KENNETH K. S. LAU

Attorney at Law

USFLaw77@aol.com

CENTURY SQUARE
SUITE 1308
1188 BISHOP STREET
HONOLULU, HAWAII 96813

March 26, 2018

TELEPHONE
(808) 524-2215

Senator Brian T. Taniguchi
Senator Karl Rhoads
Committee on Judiciary
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: KEVIN MORIKONE
Family Court Nominee

Dear Senator Taniguchi and Senator Rhoads:

I highly recommend KEVIN MORIKONE for one of the district court vacancies. I practice entirely in the district court on civil cases.

I am a member of the Hawaii state bar since 1978 and a former public defender. I have been in private (solo) practice since July 1983. My practice is primarily in the landlord-tenant area.

I am not related to KEVIN MORIKONE but I did work with him on a few cases in 2012 in summary possession cases against opposing counsel, Anthony Loccrichio, who has since been disbarred. While working with him, I found Kevin to be very knowledgeable in the civil proceedings since he has been practicing commercial litigation for many years. We need experienced civil litigators in the district court.

I understand that he is sitting as a per diem judge in Family Court. After speaking to him about this experience, he says that his decisions are thoughtfully made because it affects the lives of the people who are before him; whereas, in civil cases, it is all about money. Based upon his response, I feel that KEVIN MORIKONE has the temperament, fairness and compassion to be a judge.

If he is appointed for the Family Court, it will be a loss for the district court civil cases. We need judges experienced in civil litigation in district court.

KEVIN MORIKONE is also a family man. He is happily married with two young children.

I feel that he is a very well rounded individual who will be an asset to the judiciary. He was a professional musician as well as a laborer. He knows what hard work entails and would be fair and impartial.

Feel free to call me at 808-524-2215 or email me if you would need further information.

Very truly yours,



KENNETH K.S. LAU

KL:tyl

From: [Jeffrey Hu](#)
To: [JDCTestimony](#)
Subject: Re: Testimony in support of Kevin T. Morikone's judicial appointment
Date: Monday, March 26, 2018 10:03:40 AM

Dear Honorable Senate Judiciary Committee,

I am sending this message in support of the appointment of Mr. Kevin T. Morikone to the District Court of the First Circuit.

I am a relatively new attorney who has been practicing for 2.5 years. Shortly after I joined private practice, I worked on a case with Kevin in which we had the same client. Based on my experience working with Kevin, and seeing firsthand his communications with our client and opposing counsel, I believe he will make an excellent judge. Kevin has the attitude, patience, and type of temperament that would put all parties and counsel at ease. He will also be able to explain to the general public his rulings, decisions, etc. in a way that is easy to understand. Again, I fully support his appointment. Thank you for your time.

Jeffrey Hu

Jeffrey Hu, Esq.
Yamamoto Kim LLP
Topa Financial Center, Bishop Street Tower
700 Bishop Street, Suite 1700
Honolulu, HI 96813

Tel: (808) 275 - 0360
Direct: (808) 275 - 0338
Fax: (808) 275 - 0355
Email: jhu@yklp.net

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CHUNG & IKEHARA

*Attorneys-at-Law
A Law Corporation*

Randall Y. S. Chung
Archie T. Ikehara
Melissa Marushige

James H. Monma
Marilyn S.H. Naitoh
Rayni Nakamura-Watanabe

March 26, 2018

VIA E-MAIL

Senator Brian T. Taniguchi
Chair of Judiciary Committee
Hawai'i State Capitol, Room 214
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: Confirmation of Kevin T. Morikone

Dear Chairperson Taniguchi and Members of the Judiciary Committee:

I strongly endorse the appointment and confirmation of Kevin T. Morikone to the District Court of the First Circuit.

I am an attorney practicing primarily in the areas of construction litigation and insurance coverage disputes. I met and became acquainted with Kevin Morikone, who represented a third-party defendant/respondent (like I did) in a construction lawsuit and arbitration that I was involved with. I was able to meet with Kevin and discuss the pros and cons of the case, insurance coverage issues as well as his attempts to reach a resolution with the claimant on behalf of his client.

I found Kevin to be knowledgeable of the law. He did his work and due diligence in investigating the claims and damages asserted against his client. He was courteous, level headed and mindful of his responsibilities to his client. Being younger than I am, Kevin was energetic and diligent. Based on my interactions with Kevin, I believe him to be honest and trustworthy, competent, and would be a good, fair and compassionate judge.

Thank you for your attention to this matter.

Very truly yours,

CHUNG & IKEHARA

By: 

ARCHIE T. IKEHARA

ATI:tht

CHONG, NISHIMOTO, SIA, NAKAMURA & GOYA

ANN H. ARATANI
ROBERT A. CHONG
STEPHEN G. DYER
PATRICIA T. FUJII
STEVEN L. GOTO
KENNETH T. GOYA
RYAN I. INOUE
GAIL M. KANG
DOROTHY P.H. MEISNER
RONALD T. MICHIOKA
GARY S. MIYAMOTO

A LIMITED LIABILITY LAW LIMITED PARTNERSHIP

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RICHARD F. NAKAMURA
JOHN S. NISHIMOTO
ZALE T. OKAZAKI
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PHILIP S. UESATO
MICHAEL J. VAN DYKE
J. THOMAS WEBER
DIANE W. WONG

E-mail: kenneth.goya@hawadvocate.com

RODNEY S. NISHIDA (1949-2004)

March 26, 2018

Committee on Judiciary
Brian T. Taniguchi, Chair
The Senate
The Twenty-Ninth Legislature
Regular Session of 2018

Re: Kevin T. Morikone
Judicial Nominee for the District Court of the First Circuit

Dear Senator Taniguchi and the Committee on Judiciary:

I write this letter in support of Kevin T. Morikone's confirmation as a District Court Judge in the First Circuit, State of Hawaii.

I am a senior partner with the law firm of Chong, Nishimoto, Sia, Nakamura & Goya, which specializes in insurance defense and workers' compensation.

I have known Kevin for about 3.5 years. I met Kevin from working with him on two civil litigation cases which were related to companion workers' compensation claims filed by the injured worker.

These cases were very complex. One of the cases involved an analysis by the workers' compensation insurance carrier to recoup benefits, in subrogation, paid to an injured worker for a severe knee injury, against the manufacturer of a knee replacement device based on a products liability cause of action. The second case also pertained to a subrogation action against an individual for alleged sexual harassment against a co-worker. Both cases involved an analysis and understanding of how the payment of monies in the tort case affects the workers' compensation benefits for the injured worker, after negotiations for the recovery of the workers' compensation lien. Because I understood that Kevin's primary practice involves civil litigation, I was impressed on his knowledge of the workers' compensation subrogation aspects of law. For this reason, we were able to fashion a settlement of the civil and workers' compensation matters to the benefit of our clients.

I understand that if confirmed he will be assigned to the Family District Court of the First Circuit. While Family Court is somewhat different with civil litigation, both requires courtroom skills and knowledge of the law. Because Kevin is extremely bright, a quick learner, and creative in his analysis of claims handling, I believe he would be an excellent jurist if selected as a Family Court judge. He will be a dedicated and conscientious judge, able to effectively deal with Family Court matters, which are complex when dealing with divorce, child custody, and allocation of monies and property between the litigants. I also understand his role would also include overseeing and ruling on adoptions, appointing guardians and implementing a conservatorship over minors.

I am certain he will be fair to each of the parties, and that he will display to proper judicial temperament to the party litigants before and during the proceeding. I feel he would be able to communicate with the parties in court, because he has the ability to relate to the common, everyday citizens of our State.

I have spoken with some of my partners who know Kevin, and they concur with my assessment he possesses the intellect, temperament, and character to serve the Judiciary and our community at large as a judge.

I support Kevin Morikone's nomination without reservation and urge you to look favorably upon his application to become a District Court Judge.

Very truly yours,

Kenneth T. Goya

KENNETH T. GOYA
Partner, Chong Nishimoto Sia
Nakamura & Goya

(Sent by email to jdctestimony@capitol.hawaii.gov)

From: [R. Aaron Creps](#)
To: [JDCTestimony](#)
Subject: Committee On Judiciary; March 28, 2018 Hearing; JC 3 Nomination of Kevin T. Morikone, Esq. to the District Court of the First Circuit
Date: Saturday, March 24, 2018 10:49:14 AM

Dear Chairman Taniguchi and Fellow Committee Members:

I strongly support the nomination of Kevin T. Morikone, Esq. to become a Judge of the District Court of the First Circuit. I have known Mr. Morikone for a decade or so, starting when we were co-counsel in the Ka Loko Dam litigation. Mr. Morikone is an experienced civil litigator who will bring a strong work ethic, sense of fairness, judicial temperament, and enthusiasm to the bench.

Thank you very much for considering this submission.

Sincerely,

Aaron Creps

Aaron Creps, Esq.
Leavitt, Yamane & Soldner
Attorneys at Law - A Law Corporation
Pacific Guardian Center - Mauka Tower
737 Bishop Street, Suite 1740
Honolulu, Hawaii 96813
(t): (808) 521-7474
(f): (808) 521-7749
(e): creps@lyslaw.com
(w): <http://www.lyslaw.com>

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March 23, 2018

Senator Brian T. Taniguchi, Chair
Senator Karl Rhodes, Vice Chair
Members, Senate Committee on Judiciary

Re: **JC 3 Kevin T. Morikone** for District Court of the First Circuit, Judge – **In Support**

Thank you for the opportunity to offer comments concerning Kevin T. Morikone. By way of introduction, I have been a member of Hawaii's bar for over 30 years. I have known Kevin for over 10 years. We met after he was hired as an associate, and he was assisting his partner on a litigation matter. I was immediately impressed with his ability to spot issues and analyze the law. He was selfless, hardworking, and dedicated. In the years that followed, he developed into a strong attorney, a strong advocate, and yet, he remained humble and respectful. He is bright. He is a good communicator, both verbally and in writing. He avoids turning disputes into personal matters, and as a result, can usually develop ways to resolve even the most difficult disputes. Moreover, he is practical, demonstrating wisdom beyond his years. In his private practice he has represented a good mix of both plaintiffs and defendants, and has developed a broad perspective.

Kevin is a product of Hawaii, with a strong devotion to the community here. He has now spent several years as a per diem judge, and he has proven himself to have the qualities necessary to be an excellent judge. He is smart, compassionate, humble, and respectful of others, yet, he will make the decisions that need to be made, even when they may be difficult or may involve emotionally charged matters. He has a very bright future.

As the above makes clear, I think very highly of Kevin, both as a professional and as a person. When I think about the qualities necessary for a good judge, I believe strongly that he has them, will use them, and will help to keep the judiciary strong.

Thank you again for allowing me to provide comments. Please let me know if you have any questions or would like further information.

Very truly yours,

Lyle Y. Harada
Lyle Y. Harada
Sr. Vice President
Island Insurance Companies
1022 Bethel Street
Honolulu, Hawaii 96813



Executive Centre | 1088 Bishop Street, Suite 4100, PH-2 | Honolulu, HI 96813

Main: 808-695-4240 | Fax: 808-275-3217 | Direct: 808-695-4241 | rogomori@ogomorilaw.com

March 23, 2018

VIA E-MAIL: (jdetestimony@capitol.hawaii.gov)

Senator Brian T. Taniguchi
Hawaii State Capitol, Conference Room 016
415 S. Beretania Street
Honolulu, HI 96813

Re: Kevin T. Morikone

Dear Senator Taniguchi:

I am an attorney and the founder of Ronald T. Ogomori, Attorney at Law, a Law Corporation. I am writing this letter of recommendation on behalf of Kevin T. Morikone, who has been selected to fill one of the existing vacancies at the District Court of the First Circuit, subject to the Legislature's confirmation.

I have known Kevin for nearly 15 years, and first met Kevin when we both played in the lawyer's softball league. We were on opposite teams and were part of some memorable battles on the field. It is often said that you learn of a person's true character when you are on the opposite team. Kevin always displayed the highest degree of sportsmanship and treated all of the participants (i.e., opposing players, umpires) with the utmost respect.

On a professional level, I have worked with and against Kevin on many different civil matters. Kevin was always hard-working and effective in representing his clients' interests. In addition, Kevin was respectful to the opposing parties and their counsel.

I strongly believe that Kevin has the requisite litigation experience, moral values and temperament to be an extremely effective judge. He is hard-working, diligent, compassionate and takes pride in his work. Kevin is also a person of the highest integrity. Therefore, it is without reservation that I recommend Kevin T. Morikone to be appointed as a District Court Judge in the First Circuit Court, State of Hawaii.

If you have any questions or comments, I may be reached at (808) 695-4241.

Very truly yours,



RONALD T. OGOMORI

VERNON T. TASHIMA, ATTORNEY AT LAW

Central Pacific Plaza, Suite 888
220 South King Street, Honolulu, Hawaii 96813

Tel: (808) 521-2951
Fax: (808) 521-2953

March 23, 2018

Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair
Senate Judiciary Committee
State Capitol
415 S. Beretania Street
Honolulu, HI 96813

SUBJECT: Testimony re: **JC3** Submitting for Consideration and Confirmation to the District Court of the First Circuit,
Judicial Nominee KEVIN T. MORIKONE, for a term to expire in 6 years

Chair Taniguchi/Vice Chair Rhoads:

My name is Vernon T. Tashima and I wish to submit the following statement in support of the above-named – Kevin T. Morikone.

A brief background of my career follows:

I am a member of the Bar of this State, having received my license to practice law on December 19, 1950.

I was a law clerk in the City Attorney's Office, nka Corporation Counsel; and became a Deputy City Attorney on January 1, 1951. I served as such Deputy Attorney for the City and County of Honolulu, until late 1959, when I was named as House Counsel by Henry J. Kaiser, who was undertaking the development of the area now known as "Hawaii Kai" with the Trustees of the Bishop Estate.

I served in such capacity for over three years, then ventured into private practice, concentrating in civil matters.

Re: Kevin Morikone

I became acquainted with Kevin Morikone sometime in 2013, after I was retained by Mr. and Mrs. Milton Morikone, with regard to real estate issues. At that time, I was not aware that they had a son (Kevin) who was a licensed attorney.

Senator Brian T. Taniguchi

Senator Karl Rhoads

March 23, 2018

Page -2-

Although Kevin was not fully involved in helping his parents, I had several discussions with him, on the "issue" involving a neighboring property owner, and found that he had an open mind, and not biased, in favor of his parents' position; therefore, I requested his assistance in my representation of his parents.

Kevin had a very good understanding of the problem and the laws involved; and showed fairness in his decisions.

Also, unlike many of the current young lawyers, who become advocates and forget that they are professionals, Kevin was not only an advocate, but practiced as a professional.

Further, there is no question of his diligence and professional competence; and above all, in my opinion, he has the temperament, and ability to fulfill the responsibilities and duties of a Judge.

I strongly recommend his confirmation.

Very truly yours,



VERNON T. TASHIMA

VTT:lc

From: [David R. Major](#)
To: [JDCTestimony](#)
Subject: Testimony in Support of Kevin Morikone - District Court of the First Circuit
Date: Thursday, March 22, 2018 2:08:25 PM

Committee on Judiciary:

My name is David Major and I am a litigation partner with Bays Lung Rose & Holma. I am providing this testimony in support of Kevin Morikone's nomination for the District Court of the First Circuit. I first met Kevin a few years ago during the course of a litigation matter where we were on opposite sides. Kevin represented a builder defendant and I represented an owner plaintiff. Our office was very aggressively pursuing the claims and Kevin was very diligently defending throughout. My office has had several cases thereafter in similar roles.

Notwithstanding that on most occasions we were on opposite sides in the litigation arena, it became readily apparent to me that Kevin was a knowledgeable advocate that treated the practice of law and its participants with respect. Most importantly, it does not take much time to see that Kevin has a level of honesty and integrity that is unmatched by many . . . many of the attorneys in this state. Kevin's strength in litigation, and I think as a judge, will be the fundamental fact that no one will be able to meaningfully challenge his diligence, veracity and integrity in the course of proceedings. I have absolutely no doubt that his management of cases and ultimate decisions will give the parties and their counsel the full and fair opportunity to exercise their rights in the judicial process, notwithstanding whether or not they like the outcome.

In addition to the foregoing, having spent a fair amount of time with Kevin in the day to day practice of law, Kevin and I have had the opportunity to generally discuss his participation as a *per diem* judge. Our discussions have demonstrated to me that Kevin has a level of care and concern for the process as well as the results that I believe is absolutely vital for new judges being seated at this time. While Kevin is relatively young, I actually believe that this is a huge benefit for the future of the judiciary. Kevin very much likes the judicial process and wants to contribute to his community through the same. Given Kevin's demeanor, I see that feeling and approach lasting for a long time, which means the state, its people, and its attorneys can have a judge for some time who understands his position and role for the benefit of the greater good. Simply put, Kevin is a young partner at a successful boutique firm that applied for this position because he actually believes he can serve his community through the same. That is why I have provided this testimony and am requesting your careful consideration and approval of Kevin for the position.

In sum, Kevin would be an excellent choice for the district court bench. As a young partner in the legal community who intends to practice in this state for some time, I would like nothing more than to see all of the open positions in the courts filled by people with Kevin's integrity, temperament, and overall concern.

Regards,

Dave

David R. Major
Bays Lung Rose & Holma
Attorneys at Law
Topa Financial Center
700 Bishop Street, Suite 900
Honolulu, Hawai'i 96813
Telephone: (808) 523-9000
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E-mail: dmajor@legalthawaii.com

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Leonora A. Tanaka
1520 Kalaepohaku Place
Honolulu, Hawaii 96816

March 22, 2018

Re: Kevin Morikone, Judicial Nominee for District Court of the First Court

Dear Senator Taniguchi,

My name is Leonora Tanaka. I am a resident and citizen of the State of Hawaii for all of my 67 years. It is my privilege and honor to testify on behalf of Kevin Morikone.

I have known Kevin for at least 25 years. At different times of our relationship, he has been a client, an attorney, and always a caring friend who treats everyone fairly and with respect. I trust Kevin to do the right thing.

I am confident in Kevin's abilities to deal with any legal matter and to be a responsible District Court Judge. He has strong work ethics and is willing to be a team player to make the best decision to get things done.

It is his nature to serve and to be part of the core that moves us, motivates us to make our home better. Kevin is willing, wanting and able to serve.

Kevin's sensitivity and dedication to family values and dynamics are telling of his own commitment to his family and his family values.

This letter is to request your support and confidence to confirm Kevin Morikone as Judge of District Court of the First Circuit.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonora A. Tanaka". The signature is fluid and cursive, with a large initial "L" and "A".

Leonora A. Tanaka

From: [Paul Grable](#)
To: [JDCTestimony](#)
Subject: Senate Judiciary Committee - Testimony in Support of Kevin T. Morikone
Date: Wednesday, March 21, 2018 8:55:00 AM

Dear Senate Judicial Committee:

This email is being sent to you to provide testimony in support of Kevin T. Morikone for judgeship in the District Court of the First Circuit.

I practice in the area of construction law and have had the pleasure of working with and against Kevin in several construction related cases over the past 5 or 6 years. I have found Kevin to be a well-respected, competent attorney and a strong advocate for his clients. He is civil, smart and nice and I like him. I think he would be a very good judge.

Let me know if you have any questions about my knowledge of or opinions regarding Kevin Morikone.

Paul Grable JD# 4232

Paul R. Grable
Lyons, Brandt, Cook & Hiramatsu
841 Bishop Street, Suite 1800
Honolulu, Hawaii 96813
Tel.: (808) 524-7030
Fax: (808) 533-3011

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From: [Barry A. Sullivan](#)
To: [JDCTestimony](#)
Subject: Kevin T. Morikone, Judicial Nominee for the District Court of the First Circuit
Date: Wednesday, March 21, 2018 9:47:05 AM

Dear Senate Judiciary Committee:

I submit this email in support of the nomination of Kevin Morikone as a District Court judge. I have encountered Kevin on litigation/arbitration matters and he has consistently demonstrated his integrity and trustworthiness, as well as a commitment to resolutions that put the interests of his client above anything else. In a recent matter, he was instrumental in diverting a multi-party litigation with substantial animosity into mediation, where it was successfully resolved after only one day. To make that happen, he showed excellent temperament and the ability to segregate emotion from the facts, and to ensure his client did as well, to achieve a multi-party resolution. I have no doubt that Kevin has the ability to fulfill the responsibilities of being a district court judge and support his nomination without reservation.

If you have any questions or would like additional feedback, I would be happy to provide that and can be reached as set forth below.

Best regards,

Barry A. Sullivan

BARRY A. SULLIVAN, ESQ.

SULLIVAN MEHEULA LEE

A Limited Liability Law Partnership

Pacific Guardian Center | Makai Tower | 733 Bishop Street | Suite 2900 | Honolulu, Hawaii 96813

Direct: 808.628.7518 | **Main:** 808.599.9555 | **Fax:** 808.533.2467 | **Email:** sullivan@SMLhawaii.com

| **Web:** www.SMLhawaii.com

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HOSODA & MORIKONE, LLC

ATTORNEYS AT LAW

Three Waterfront Plaza, Suite 499 ♦ 500 Ala Moana Boulevard ♦ Honolulu, Hawaii 96813

Telephone: (808) 524-3700 ♦ Facsimile: (808) 524-3838

Lyle S. Hosoda
Kevin T. Morikone
Addison D. Bonner

Kristen A. Yamamoto
Lauren M. Nakamura
Kourtney H. Wong

March 20, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Senate Judiciary Committee
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: **Kevin T. Morikone - Judicial Nominee for the District
Family Court of the First Circuit, State of Hawai'i**

Dear Senate Chair Taniguchi, Vice Chair Rhoads, Senator Gabbard, Senator Thielen and Senator Mercado Kim:

This is my wholehearted and unqualified recommendation for you to select Kevin T. Morikone ("Mr. Morikone") to be a Honolulu District Family Court judge. Mr. Morikone has more than the requisite intelligence, skills, training, experience, wisdom and temperament to serve our community as a judge. Most significantly, he wants the position. He is motivated and has aspired to the position since he first entered law school. We would be very fortunate to have Mr. Morikone serve as a judge in our State.

I am Mr. Morikone's law partner, and it has been an honor and pleasure to practice law beside him. Initially when he indicated that he would be submitting his name to become a Judge I felt conflicted because I know that our relationship would have to change and I will miss him. Although we are 22 years, nearly a full generation, difference in number of years practicing law, since he became my partner in 2011, I have never once thought of him as anything other than an equal. While my partner, he has carried a full caseload and handled a wide variety of cases and matters. We have litigated cases in the following areas: commercial and general business, corporate, personal injury and wrongful death (both plaintiff and defense), construction, intellectual property, real property, bankruptcy, white collar criminal, collection, landlord-tenant, family, entertainment, and aviation defense.

We have also formed businesses and engaged in a fair amount of business advising and counseling. Mr. Morikone has handled every aspect of these clients, cases and matters including marketing and getting and maintaining clients, meeting and counseling clients, researching claims, causes of action, defenses, etc., preparing and filing pleadings, motions of every type in every court, depositions, mediation, arbitration and trials. Mr. Morikone also spent a year and a half as a law clerk to Circuit Court Judge B. Eden Hifo where he was exposed to all kinds of cases, litigants, attorneys and judges. So although he has only been in practice for 10 years, he

has a wide and deep range of experience and training. In short, he is wise and experienced beyond his years.

I have known Mr. Morikone since 2002. In an odd first meeting, this eager and motivated young man came and sat beside me after he had just finished playing music at a local establishment. He said that his producer had told him that I was an attorney and that he was thinking about law as a career and that he wanted to come work for me “for free” for a year so that he could evaluate the law as a career. I could not help but hire him, but insisted on compensating him. I explained that I had a small office and that he would be expected to do a wide variety of tasks. His job description was basically whatever I told him to do. He flourished under this arrangement. He caught on so quickly. I think he thought he was an attorney and could do what an attorney did before he even went to law school.

He was hooked on the law, and excelled. He is passionate about the law. He applied and got into law school. He did very well in law school and I got many reports from his professors about how well he was doing and how he is a natural. Many medium and large law firms have made offers to him during and after law school. I always encouraged him to pursue whatever he felt was in his best interest. With all of those opportunities, I was somewhat surprised that he continued to work at my firm during the holiday and summer breaks.

Mr. Morikone asked if it would be acceptable to me if he accepted a clerkship with Judge Hifo. I told him that anything that he wanted to do to further his career was acceptable to me. He thoroughly enjoyed and again excelled as a lawclerk. I have had numerous conversations and interactions with Judge Hifo and her entire staff, and Mr. Morikone is their favorite. In addition to being very smart and super efficient, he is a team player and takes an interest in all around him. When I would go to the Circuit Court with Mr. Morikone during and after his clerkship, he knew everyone there by first name, and I could tell that there was a mutual respect with everyone from the judges, the litigants, court reporters, file clerks and the entire staff. He has an amazing people skill.

Mr. Morikone started work formally as an associate with me in 2008. His motivation was so great that I was handing him cases and files very shortly after he started and he was managing a full caseload with very little supervision. He is the type to always keep me informed and any time he did have questions, concerns or problems, he would research and try and figure them out first by himself, but always engaged in passionate discussion on the law and issues. It was very clear to me that he had all of the skills and experience to handle every aspect of being a lawyer on his own, so I offered him partnership after only three years in practice. He has never once let me down.

Some of his strongest attributes include his strength of character, credibility and integrity. He has the highest moral and ethical standards. He knows right from wrong. I know his entire family back two generations. Both he and his wife are strong family people, and pay respect and are with grandparents and extended family all of the time. On both sides, they are honest, hard-

working families. They have instilled and Mr. Morikone lives and does what is ethically and morally right.

Mr. Morikone treats people right, with dignity, humility and equality. I have seen opposing counsel actually take shots at Mr. Morikone early on because of his youth and what they thought was inexperience. Mr. Morikone always responded professionally and never once raised his voice or conducted himself in any other way manner but as a complete gentlemen.

Mr. Morikone enjoys people. You can see it in him every day. He greets you warmly. He listens and he is interested. He also loves our country, our state and our community. He cares a great deal, and you can see and feel it daily. All of this makes him very humble and very practical. He will make sound and fair decisions that make sense both now and into the future, and will take into consideration all things that are important.

Mr. Morikone is a quick study. He has an uncanny ability of being able to gather facts, find the issues, research and apply the law, and reach fair, just and equitable decisions that also make practical sense.

I could go on and on about Mr. Morikone. Our community would be very fortunate to have him be a judge in our community. Although he has only been practicing law for 10 years and he has only been on the earth for 37 years, he has wisdom and knowledge way beyond that. He is the type of rising star that we need to make and keep the judiciary strong. I am available to discuss him further at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lyle S. Hosoda', with a long horizontal line extending to the right.

Lyle S. Hosoda



ASHFORD + WRISTON
A LIMITED LIABILITY LAW PARTNERSHIP LLP

MICHAEL W. GIBSON
Direct: (808) 539-0483
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mgibson@awlaw.com

March 20, 2018

VIA E-MAIL (jdtestimony@capotol.hawaii.gov)
Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary

Re: Comment Re: Kevin Morikone,
Judicial Nominee for District Court of the First Circuit

Dear Senator Taniguchi and Senator Rhoads:

I am Michael Gibson. I have been an attorney at Ashford & Wriston since 1976. Prior to working at Ashford & Wriston, I was a Deputy Prosecuting Attorney in the City and County of Honolulu. I am a litigator dealing primarily with real property disputes.

Kevin and I first met while he was an associate at the law firm of Lyle S. Hosoda & Associates about ten years ago. Kevin and Lyle Hosoda represented plaintiffs in a partition case in which I represented a defendant. The case lasted several years. Since the partition case concluded, I have kept in touch with Kevin.

In my opinion, Kevin possesses excellent common sense, judicial temperament and good judgment. Kevin is a hard worker and has unimpeached integrity.

There is no doubt that Kevin represents the best of the legal profession and will be an excellent District Court judge.

I strongly support Kevin Morikone's application to be a District Court Judge.

Very truly yours,
ASHFORD & WRISTON
A Limited Liability Law Partnership LLP

By


MICHAEL W. GIBSON

MWG:shp

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From: [Ryan Harimoto](#)
To: [JDCTestimony](#)
Subject: Kevin T. Morikone, District Court of the First Circuit Nominee
Date: Wednesday, March 21, 2018 10:46:37 AM

Dear Chair Taniguchi, Vice Chair Rhoads, and Judiciary Committee Members:

My name is Ryan Harimoto, and I thank you for this opportunity to submit testimony in support of Kevin T. Morikone, nominee to the District Court of the First Circuit. I have known Kevin for more than 10 years. He was a student in my Pretrial Litigation class at the William S. Richardson School of Law, he was Judge Weil's law clerk when I appeared before her at Circuit Court, we have worked on a complicated civil case together, and we are friends. I have tremendous respect for Kevin as a person, a family man, and an attorney. He has the intelligence, common sense, compassion, and work ethic to be an excellent District Court Judge.

Should you have any questions or wish to discuss Kevin further, I would be more than happy to speak with you.

Regards, Ryan K. Harimoto

--

Ryan K. Harimoto, Esq.
The Law Office of Ryan K. Harimoto
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Telephone: (808) 528-3113
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SKD Engineers, Inc.

P. O. Box 235820
Honolulu, Hawaii 96823-3513

TEL: (808) 595-2702
E-Mail: s.k.djou@hawaiiantel.net

March 20, 2018

**Senator Brian T. Taniguchi, Chair
Senate Judiciary Committee
jdctestimony@capitol.hawaii.gov**

**Re: Kevin Morikone,
Judicial Nominee to the District Court of the First Circuit (JC 3)**

The Honorable Senator Taniguchi,

I am writing this letter to support the nomination of Kevin Morikone for consideration and confirmation to the District Court of the First Circuit.

I am a licensed Civil Engineer and have been continuously practicing in Hawaii since 1973. I have known and worked with Mr. Morikone for several years on more than half dozen litigation cases. I found him to be a very capable attorney with high integrity and judicial competence. He has always willing to evaluate the facts and opinions from all sides fairly. He is easy to work with and ask insightful questions to get to the truth of the matter.

I believe wholeheartedly that Mr. Morikone will serve well as a justice in the First Circuit Court.

Yours very truly,

SKD Engineers, Inc.



**S. K. Djou, P. E., (C-3587)
Principal Engineer**

LAW OFFICES OF FRANK K. GOTO, JR.

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Honolulu, Hawaii 96813

Frank K. Goto, Jr.

Jane Kwan

Mari M.L. Fujimoto

Tel: (808) 531-4686 Fax: (808) 531-4680

March 20, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Senator Brian T. Taniguchi, Chair
Committee on Judiciary
State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: Judicial Nominee, Kevin T. Morikone, Esq.
To District Court, First Circuit
Hearing: March 28, 2018 at 10:00 a.m.

Dear Mr. Chairman and Committee Members:

I SUBMIT THIS TESTIMONY IN SUPPORT OF THE CONFIRMATION OF KEVIN T. MORIKONE TO THE DISTRICT COURT, FIRST CIRCUIT.

This letter is to express my support for Kevin T. Morikone's appointment as a District Court Judge to the First Circuit. I believe he will bring a sense of commitment and pride to the judiciary in his service on the District Court bench.

I have been a practicing attorney in the State of Hawai'i since 1978. During the last decade I have litigated cases where Mr. Morikone was counsel representing one of the other parties. Although litigation can be a very contentious and volatile practice, I always found Mr. Morikone to display the highest standards of decorum and professionalism in the practice of law.

Moreover, in litigation cases, I found Mr. Morikone to be a man of his word. He would follow through on those matters that he said he would accomplish. I found his legal analytical skills to be on point. He cited to statute, cases and legal precedent which were applicable to the situation at issue. Finally, he has displayed an even temperament and fairness towards opposing counsel and the bench.

Senator Brian T. Taniguchi, Chair
March 20, 2018
Page 2

For all the foregoing reasons, I give the highest recommendation I can to support Mr. Morikone's appointment to the District Court bench.

I apologize for not being able to attend the hearing in person as I have a previously scheduled matter I need to personally attend. However, if you have any questions, please contact me. Thank you for your consideration of this testimony.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'F' followed by a horizontal line that tapers to the right.

FRANK K. GOTO, JR.

FKG:ykg

CAROL LEE M. I. CHUN

Attorney At Law

707 Richards Street, Suite 517

Honolulu, Hawaii 96813

Telephone: (808) 521-7919

Facsimile: (808) 521-8830

March 20, 2018

BY EMAIL

Senator Brian T. Taniguchi
Senator Karl Rhoads
Senate Committee on Judiciary

RE: Judicial Nominee, KEVIN T. MORIKONE
District Court of the First Circuit
Hearing Date: Wednesday, March 28, 2018
Place/Time: Conference Room 016/10:00 a.m.

Dear Honorable Chairmen:

I wish to express my support for Kevin T. Morikone, a judicial nominee for the District Court of the First Circuit for the State of Hawaii.

I initially met Mr. Morikone over 10 years ago during his clerkship with the Honorable Eden Elizabeth Hifo during her tenure on the bench at the First Circuit Court. Judge Hifo was the presiding Judge during one of my trials. The case eventually settled but prior to that, Mr. Morikone had to tolerate weeks of grouching, whining and unending requests from everyone involved in the case. At that time, I hoped Mr. Morikone did not come to the conclusion that all attorneys, parties and cases mirrored our circumstances, but he was extremely patient, always cordial and always helpful. Because of his personality and practical ways, I knew Mr. Morikone would leave Judge Hifo with much support from the legal community, but he also had a deep appreciation for the opportunity to work in the court system.

Shortly thereafter, Mr. Morikone obtained employment with Lyle S. Hosoda, Esq. Having known Mr. Hosoda for some years prior, I was and have been able to keep in contact with Mr. Morikone but now as a colleague. He continues to have that same positive, helpful attitude and still enjoys "the law". I have seen him mature professionally and personally (having gotten married and now a father). His nomination to the bench serves as a recognition of his demeanor, work ethic and desire to serve the State of Hawaii and its people. He would be an asset to the Hawaii bench.

Sincerely,



CAROL LEE M. I. CHUN

RYAN G. S. AU
ATTORNEY AT LAW, LLLC

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1164 BISHOP STREET, SUITE 1705
HONOLULU, HAWAII 96813

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March 21, 2018

Via Email: jdctestimony@capitol.hawaii.gov

Senate Judiciary Committee
Chair: Brian Taniguchi
401 S. Beretania Street, Office 219
Honolulu, Hawaii 96813

**Testimony Re: Kevin T. Morikone, Judicial Nominee for the
District Court of the First Circuit**

Dear Mr. Taniguchi:

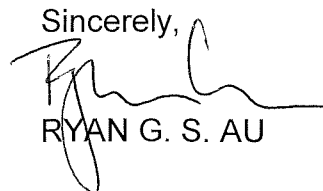
I am currently a solo practitioner and have had my own solo practice since 2005. I am a 1997 graduate of the University of California—Hastings College of the Law. In 2006, I served as the President of the HSBA Young Lawyers Division. In my civil law practice, I represent plaintiffs in personal injury cases, landlords for evictions, victims of real estate fraud, homeowners in construction cases, and persons involved in trust and business litigation. I appear in District Court and Circuit Court on a regular basis. I have had bench trials in District Court and jury trials in Circuit Court.

I have known Judicial Nominee Kevin T. Morikone (“Kevin”) for many years. I have had civil cases where he and his law firm are opposing counsel. I have had conversations with him if I see him at social functions.

Kevin is very honest and trustworthy. He is always up front about matters discussed. He is diligent in returning telephone calls. He also does what he says he will do. He also has professional competence and legal ability in assessing the pros and cons of cases. This allows him to evaluate cases so that he can make informed decisions. He is very patient and does not get frustrated. He is fair and compassionate because he can understand the basis of each sides’ position and because he can evaluate a case. I believe that if appointed to the District Court, Kevin will make a great judge.

If you have any questions, please feel free to contact me. Thank you.

Sincerely,



RYAN G. S. AU

From: [Wayne Sakamoto](#)
To: [JDCTestimony](#)
Subject: JC 3 - Judicial Nominee Kevin Morikone
Date: Monday, March 26, 2018 9:42:17 AM

Dear Senator Taniguchi and Members of the Judiciary Committee,

It is my honor and privilege to present this testimony in support of Kevin Morikone who is a nominee for Judge of the District Court of the First Circuit Court.

I first met Mr. Morikone when he was a law clerk for the Honorable Elizabeth Eden Hifo at First Circuit Court. I found Mr. Morikone, as a law clerk, to be very respectful and helpful to the attorneys involved in matters pending before Judge Hifo. Since then, I have followed his career and have gotten to know Mr. Morikone on a personal level.

Since joining private practice I have had several occasions to work with Mr. Morikone. I have found him to be a zealous advocate on behalf of his clients but also fair and reasonable. He is a hard worker who is not afraid to tackle difficult situations. I was also impressed with his ability to handle difficult, strong minded people with tact and professionalism.

Based on my experience with Mr. Morikone, I can strongly recommend that he be selected for a judgeship in the District Court of the First Circuit Court. After having practiced law in all Courts in the State of Hawaii for the past 33 years, I believe that Mr. Morikone is exactly the type of judge that we need to have serving on the bench. He has the smarts, temperament and demeanor necessary to be an excellent judge.

Thank you for the opportunity to speak on behalf of Mr. Morikone. If you have any questions and/or comments, please feel free to contact me.

Wayne S. Sakamoto
Attorney at Law, A Law Corporation
810 Richards Street, Suite 790
Honolulu, Hawaii 96813
Telephone: (808) 528-5567
email: wsakamoto@hawaiiantel.net

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From: Deborah K. Wright
To: JDC Testimony
Subject: Kevin Morikone
Date: Tuesday, March 20, 2018 10:22:30 AM

To the Senate Judiciary Committee:

My name is Deborah K. Wright and I am an attorney licensed here in the State of Hawaii. I worked with Kevin Morikone when we represented opponents in litigation. Kevin was forthright and always did what he said he would do in our dealings on the case. Although we were opponents, working with Kevin was a very positive experience and he demonstrated knowledge of the law in general and evidence in particular, a capacity for solid reasoning and a respect for all parties. I know he will do the same as a judge if confirmed. I think he would be a very good asset to the bench.

Thank you.

Deborah K. Wright
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