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

BLAINE J. KOBAYASHI
District Court Judge, Second Circuit Court

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

Hearing: Wednesday, August 25, 2010 at 10:00 a.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 Blaine J. Kobayashi for the position of District Court Judge of the Second 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 Blaine J. Kobayashi to be qualified for the position of District Court Judge of the Second Circuit.

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

August 9, 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-Blaine J. Kobayashi**

Dear Chair Taniguchi:

I write this letter in strong support of Blaine J. Kobayashi, Esq.'s judicial nomination to the District Court, Second Circuit, State of Hawaii.

I have been licensed to practice law in the State of Hawaii for approximately 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.

I have come to know Mr. Kobayashi professionally over the last several years based on his appearances before the Land Use Commission. While I write this letter in my individual capacity, based on my interaction and observations of Mr. Kobayashi I can firmly attest to the fact that he possesses excellent legal skills, extensive legal knowledge and the highest level of integrity that makes him an excellent choice to serve as a District Court judge. Mr. Kobayashi is an accomplished lawyer and consummate professional who always comes well prepared, fully versed on the facts and law at issue and consistently presents a legal analysis that reflects an excellent understanding of the applicable law. He undoubtedly has an incredible work ethic which shows in his work product that in my opinion places him second to none among the many excellent attorneys who have appeared before the commission.

Mr. Kobayashi also exhibits an excellent combination of humility and an even keeled temperament. There are times at our hearings where public testimony can become very heated, emotions can run high and tempers will flare; however, Mr. Kobayashi consistently maintains a sense of calm and genuine respect for each person's personal view point which will suit him well as a judge.

The Honorable Brian T. Taniguchi
Committee on Judiciary and Government Operations
8/9/10
Page Two

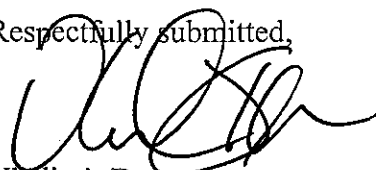
As you may know, Mr. Kobayashi has been in practice for over 18 years and has developed extensive experience in various areas of the law. He is a partner with the prestigious law firm of Carlsmith Ball, LLP, and also has prior experience working for the Corporation Counsel's office on Maui and for the County Attorney and Prosecuting Attorney on Kauai, where he was involved in a variety of cases including personal injury, contracts, labor law, administrative law, worker's compensation and felony criminal prosecutions. He has appeared in District, Circuit, Family and our Federal District Court, so his legal experience is extensive.

In talking with other attorneys who know Mr. Kobayashi, it is clear to me that he enjoys an excellent reputation in the Maui legal community for his legal intelligence, competency and ethics. He is both genuine and respectful and clearly has the ability and fortitude to handle the most complicated of cases, whether it is a civil or criminal matter that may come before him as a judge.

Mr. Kobayashi is clearly well qualified and an attorney of the highest integrity who will make an excellent District Court judge.

Thank you for the opportunity to submit my comments regarding Mr. Kobayashi, who I hope will receive your committee's favorable consideration.

Respectfully submitted,



Vladimir Devens

Neal & Melanie Shinyama
845 Kekoa Place
Wailuku Maui Hawaii 96793

August 11, 2010

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

Subject: Blaine Kobayashi Appointment to 2nd Circuit District Court Judge

Dear Senator Taniguchi:

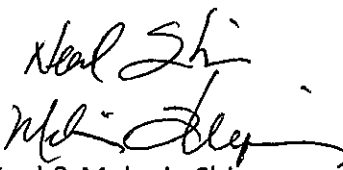
We were very pleased to hear of Blaine's appointment to the 2nd Circuit Court Judgeship by Chief Justice Moon and are writing to express our wholehearted support for him.

Admittedly, we are not able to tell you about his professional life; we leave that to the legal community and our confidence that Chief Justice Moon's appointment of Blaine was made after much consideration of his qualifications.

We have known Blaine for over 20 years and have seen him immerse himself in his children and community. His efforts as a single father have been extremely admirable. We know that his personal experiences will only enhance the legal experience that he would bring to the 2nd Circuit Court bench.

Thank you for taking the time to read this letter. We hope that the Judiciary Committee and your fellow Senators will support Blaine's appointment.

Aloha,


Neal & Melanie Shinyama

John D. Kim
509 Kaa Circle
Kahului, Hawaii 96732

August 11, 2010

Senator Brian Taniguchi, Chair
Judiciary and Government Operations Committee
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, Hawaii 96813

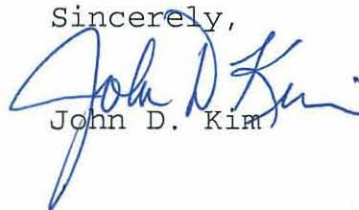
Dear Senator Taniguchi:

I am writing to support the confirmation of Blaine Kobayashi to fill the vacancy left by the Honorable Simone Polak in the Second Circuit. I met Mr. Kobayashi in 2000, when I was hired as a Deputy Corporation Counsel in Maui County. We worked together for a period of three years. Mr. Kobayashi has always impressed me with his knowledge of the law, his ability to quickly analyze the legal issues, and his work ethic to get the job done for Maui County as a Deputy Corporation Counsel.

I have observed his demeanor in and out of court and he has always been courteous and kind. He has a knack of explaining complicated legal and factual issues so his audience fully understands those issues. Moreover, he is always keenly aware of the make up of his audience, and does not appear to 'talk down' to people. Mr. Kobayashi has the character and judicial presence that best represent the judiciary.

Thank you for this opportunity to participate in the confirmation of our next District Court Judge for Maui County. I may be contacted at work (808) 270-7630 or home (808) 871-4109 to answer any questions regarding Mr. Kobayashi.

Sincerely,


John D. Kim

cc: Blaine Kobayashi

From: Jane Lovell [Jane.Lovell@co.maui.hi.us]
Sent: Thursday, August 19, 2010 8:27 AM
To: Sen. Brian Taniguchi
Subject: Blaine J. Kobayashi

Dear Senator Taniguchi,

I write in support of the nomination of Blaine J. Kobayashi to the District Court in the Second Circuit. I have known Blaine professionally for seven years, first as a colleague in the County of Maui's Department of the Corporation Counsel, and thereafter as opposing counsel in a number of civil and administrative law matters. Whether working with Blaine on the same side, or opposing him in hard-fought litigation, I have found him to be the consummate professional. He is honest, forthright, and diligent. He is always well prepared, and as a result, he uses court time efficiently. He has extensive legal experience in both civil and criminal law. I am familiar with his written work product, and have always found his legal memoranda to be clear and well organized.

Blaine served the public for many years before going into private practice. I believe that he was a prosecutor and a Deputy Corporation Counsel for his native Kauai County before joining the Department of the Corporation Counsel for the County of Maui. During the time I have known him, I know that he has been active in local community affairs, including taking a leadership role in his children's school organizations.

I believe that Blaine has the appropriate even temperament to be a judge. He is courteous to opposing counsel and witnesses, and has a calm demeanor. I trust that he would treat all who came before him with equal respect and dignity.

I have no personal knowledge of Blaine's financial matters, or of his health status, other than to say that I know of no issues in these areas. He leads a modest lifestyle, is a devoted father to his two children, loves the out of doors, and appears to be very fit.

I would like to share one story with you that exemplifies Blaine's character. Following a contested administrative hearing before the Land Use Commission, one of his opposing counsel (a women quite a bit older than Blaine) discovered that she had a flat tire. Without a moment's hesitation, Blaine took off his suit jacket, loosened his tie, rolled up the sleeves of his white dress shirt, and changed the tire for her. This kindness to an opponent demonstrates his good upbringing and the spirt of aloha that guides his actions.

In short, I wholeheartedly support Blaine Kobayashi's appointment to the District Court. Our community will be a better place with him on the District Court bench.

Very truly yours,
Jane E. Lovell
525 Akolea Street
Wailuku, HI 96793
808-242-1808

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KIEFER & GARNEAU LLC
A Limited Liability Law Company

Richard Kiefer

Greg Garneau

Direct Dial (808) 871-9700
Email: rickkief@hawaii.rr.com

August 20, 2010

Via Email (JGOTestimony@Capitol.hawaii.gov)
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Committee on Judiciary and Government Relations
State Capitol
Honolulu, Hawai'i 96813

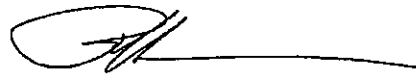
Re: JC1 – IN SUPPORT of confirmation of the nomination of Blaine J. Kobayashi to
the District Court of the Second Circuit

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

Blaine J. Kobayashi is eminently qualified to be a Judge on the District Court of the Second Circuit. As a Maui lawyer, I have had the opportunity to work with Blaine several times over the years. I have invariably found him to have the highest integrity and to have a keen intellect, good judgment and excellent communication and people skills. He also has a broad range of experience, including civil litigation, business, real estate and land use which would add significant depth to the Second Circuit. Based on all this I truly believe that Blaine will be an invaluable addition to the District Court bench.

Thank you for your consideration.

Yours truly,



Richard Kiefer

RJK/jev

From: Mark L. Renschen [mrenschen@TGHAWAII.com]
Sent: Saturday, August 21, 2010 9:52 AM
To: JGO Testimony
Subject: Blaine Kobayashi

To whom it may concern,

I am writing to you in support of Blaine Kobayashi confirmation of Second Circuit District Court Judge. Blaine Kobayashi is a prime example of intelligence, integrity and balance for the people of Maui County and our court system. Being a Maui resident since 1982, I have been introduced to a couple of Maui Judges. I have no question that Blaine will properly and more than adequately fill the existing vacancy.

Sincerely,

Mark Renschen
Senior Vice President
Title Guaranty Escrow Services, Inc.
Phone: (808) 871-2297
Cell: (808) 281-2811
Fax: (808) 871-2222
Email to: mrenschen@tghawaii.com

Please visit our website: <http://www.tghawaii.com>
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From: Wendell [Takoman.18@hawaiiantel.net]
Sent: Sunday, August 22, 2010 8:55 PM
To: JGO Testimony
Subject: Testimony in support of Blaine J. Kobayashi

To: Committee on Judiciary and Government Operations

Re: JC1 - Testimony for consideration and confirmation to the District Court of the Second Circuit, Judicial Nominee, Blaine J. Kobayashi

Hearing Date: Wednesday August 25, 2010, 10:00 a.m.

Dear Esteemed Members of the Senate Judiciary Committee,

I am submitting testimony in support of Blaine J. Kobayashi to serve on the District Court of the Second Circuit. I have known Blaine for over 5 (five) years, and based on his many assets he will bring a unique level of experience to the District Court. He is an outstanding attorney, is very intelligent, has wonderful people skills, and is very diligent. He has both a criminal law as well as a civil law background which makes him uniquely qualified to sit on the many different kinds of calendars that the District Court encompasses.

More importantly he is a wonderful parent, a good father, and an excellent role model for his children. He takes his parenting responsibilities very seriously and though I have encouraged him to partake in some athletic endeavors on the weekends (like the Maui County Bar Association golf tournament), he has repeatedly turned me down in favor of spending quality time with his children. I believe this conscientiousness as a parent will be one of the many types of skills that he will bring to the bench.

As a Detective with the Maui County Police Department, I believe I have some insight as to a person's character, and Blaine's will never be in issue. He is fair and honest, is open minded and always conducts himself in an ethical and honorable manner. He truly embodies the integrity, intelligence and work ethic that is befitting of a Judge. I have the utmost confidence that Blaine will be an excellent District Court Judge. I respectfully urge this Committee to confirm Blaine's nomination, and I thank you for this opportunity to comment.

Very truly yours,

Wendell Loo
Maui Police Department

Law Offices of Cary T. Tanaka

Suite 1010 Bishop Street Tower • 700 Bishop Street • Honolulu, Hawaii 96813
Telephone (808) 536-8885 • Facsimile (808) 536-8845
Email: carytanaka@aol.com

August 23, 2010

VIA FACSIMILE TRANSMISSION: 808-586-6461

Senator Brian Taniguchi, Chair
Committee on Judiciary and Government Operations
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, Hawaii 96813

Re: In the Matter of the Confirmation of Blaine Kobayashi
Judge, District Court of the Second Circuit
Hearing: August 31, 2010

Dear Senator Taniguchi:

It is with great pleasure that I submit my support for Blaine Kobayashi and his appointment to the District Court of the Second Circuit. I have worked with Mr. Kobayashi on a number of cases in the past and have found him to be a highly competent and professional advocate who zealously represents the interests of his clients.

Throughout the years, Mr. Kobayashi and I have been involved in cases involving claims against the County of Kauai, as well as a number of insurance related clients. Although Mr. Kobayashi demonstrates an outstanding ability to analyze and discuss legal theories, what stands out most is the manner in which he treats all counsel and their clients. It is my utmost belief that Mr. Kobayashi will serve our community with humility and in a fair and just manner.

Should you have any questions, please do not hesitate contacting my office. Thank you for your attention to this matter.

Very truly yours,



CARY T. TANAKA

CTT:jm

KIEFER & GARNEAU LLC
A Limited Liability Law Company

Richard Kiefer

Greg Garneau

Direct Dial (808) 871-971
Email: greggarneau@hawaii.rr.com

August 20, 2010

Via Email (JGOTestimony@Capitol.hawaii.gov)
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Committee on Judiciary and Government Relations
State Capitol
Honolulu, Hawai'i 96813

Re: JC1 - Submitting for consideration and confirmation to the District Court of the
Second Circuit, Judicial Nominee Blaine J. Kobayashi

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

By way of introduction, I am an attorney in private practice on Maui where I have practiced law for the past seventeen years. I have known Blaine Kobayashi since he and I were employed in the Maui Corporation Counsel's office a number of years ago. In all circumstances I have found him to be a man of the highest integrity who has consistently demonstrated his competence as a lawyer. As both of us currently have similar law practices, I have had the pleasure of working with Blaine on various projects. I know that Blaine will bring many fine qualities and accomplishments to the bench not the least of which is his substantial courtroom experience as a prosecuting attorney on Kauai and as a civil litigator on Maui. Blaine is even-tempered which will be reflected in a favorable judicial temperament.

From my observations of him, Blaine possesses a keen legal intellect, sound judgment and unwavering integrity which are key to the makings of a good decision maker and leader. Blaine has earned the respect of his colleagues, friends and many other members of the Maui community. When Blaine and I worked together, I valued his opinion and found him to be thoughtful and precise in his decision making. He is able to understand complex legal issues and to "think on his feet" in the courtroom. He is both approachable and patient in his interaction with others.

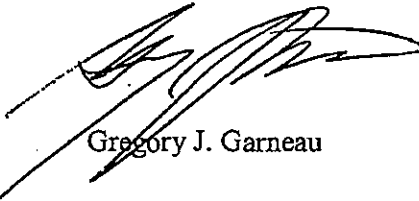
In sum, Blaine possesses the legal knowledge, professional experience and temperament that is required of a District Court judge. We are fortunate that he is willing

444 Hana Highway, Suite 204, Kahului, Hawaii 96732
Telephone: 808-871-6016
Fax: 808-871-6017

Committee on Judiciary and Government Relations
Page 2

to leave his successful law practice to serve on the bench. I wholeheartedly support Blaine's application and recommend him for appointment as a judge.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory J. Garneau", written over a horizontal line.

Gregory J. Garneau

August 23, 2010
Senate Judiciary Committee
Honolulu, HI

Re: Blaine Kobayashi Judicial Nomination

Messrs and Mlle,

Greetings from Vancouver, Washington state.

I am elated to hear Blaine Kobayashi was nominated by the CJ for the Maui District Court Bench.

I have known Blaine since he was a law student and summer intern at the Kauai Prosecutors office more years ago than I care to count. When he joined the prosecutors office, I had the opportunity to go head to head with him in my capacity as a felony trial attorney with the public defender's office. I must tell you I was amazed at how at ease he was in front of a jury right out of the gate. It was definitely not normal rookie trial attorney behavior. He had amazing poise, was always cool under fire, and juries, I could see, liked him and listened to him because he had that instant credibility thing going. You can't learn that. You either have it or you don't.

I enjoyed working with him not only because he had a great personality but more so that I knew I could trust him, that he was going to do what he said he would. His staff will love working for him I guarantee it.

I will be surprised if you receive any negative endorsements for Blaine and if you do, you should probably scrutinize that person more than Blaine. He is that well liked and respected. In fact I remember how bummed I was when I learned he was leaving Kauai for a job on Maui.

Great choice CJ Moon! Thank you for this chance to put my two cents in.

James Tamura

Attorney # 2727-0

Veterans Affairs

EEO Investigator

Office of Resolution Management

Vancouver, Washington

Office: (360) 759-1617 Fax: 1618

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August 23, 2010

Hon. Brian T. Taniguchi
Chairman, Judiciary and Government Operations Committee
Hawaii State Senate
415 South Beretania Street
Honolulu, HI 96813

RE: Blaine J. Kobayashi

Dear Senator Taniguchi:

I am writing for the purpose of expressing my support for Blaine J. Kobayashi for the judicial vacancy at the District Court of the Second Circuit on the island of Maui. I understand that your honorable committee will be meeting Mr. Kobayashi and reviewing his credentials shortly and thought that it might be helpful for me to provide you with the following comments.

I have known Mr. Kobayashi for many years in several different capacities. During the period from 1999-2002, I served as the managing director of the County of Maui and had the opportunity to work with Mr. Kobayashi in his capacity as an attorney with the Office of the Corporation Counsel. I always found Mr. Kobayashi's counsel to be thoughtful and well-researched. His temperament and professionalism always made him a very credible and worthy representative for the County's legal interests. Subsequently, I assumed my current position and Mr. Kobayashi moved on to private practice at the Carlsmith Ball law firm on Maui. I have continued to use Mr. Kobayashi to assist with legal matters pertaining to our business and I remain very impressed by his thoroughness and ability to work with a variety of different people and entities.

Finally, I have also served on the board of directors of Maui Economic Opportunity ("MEO") with Mr. Kobayashi. He is as committed to the well-being of this community as he is to the practice of law and has given generously of his time and expertise to help MEO in its mission of providing a 'hand up' to people in our community in need.

In short, I truly believe that Mr. Kobayashi would make a most worthy addition to the bench. Should you select Mr. Kobayashi to join the judiciary in this position I am certain that you will be most pleased with his performance.

Thank you very much for your kind consideration in this matter.

Sincerely yours,

A handwritten signature in cursive script that reads 'Grant Y. M. Chun'.

GRANT Y. M. CHUN
Vice President

August 23, 2010

Honorable Senators
Committee on Judiciary and Government Operations
State Capitol, Senate Chambers
Honolulu, HI 96813

Honorable Chair Taniguchi and Senate Committee,

It is with sincere humility that I submit written comment today on behalf of Blaine J. Kobayashi for confirmational consideration to the District Court of the Second Circuit.

Blaine J. Kobayashi grew up in my immediate neighborhood here on Kauai, attended public school where I taught for 30 years, and following the attainment of his law degree, served on my cabinet for 4 years as Deputy County Attorney. Over the span of his law career, he has had a wide variety of experience in governmental law both on Kauai and Maui, as a Prosecutor, as Deputy County Attorney and most recently as a member of Carlsmith Ball LLC, a private law firm on Maui.

It has been my long familiarity with Mr. Kobayashi, his personal character, his particular written ability critical in the legal world, his community service while here on Kauai, and his exemplary work ethic as our attorney which leaves me no doubt that he has the capability and capacity to be an impartial and qualified Judge should he be so honored to be confirmed by your prestigious committee to serve the courts of the Second Circuit on Maui.

It is with the highest level of confidence that I recommend Blaine J. Kobayashi knowing, I can trust that he will continue to do an outstanding job in serving our State in general, and Maui in particular, in this prestigious capacity.

Most sincerely,

Maryanne W. Kusaka

Maryanne W. Kusaka
5151 Nonou Road
Kapaa, HI 96746

From: Yamasaki, Craig [craig.yamasaki@mauielectric.com]
Sent: Tuesday, August 24, 2010 8:40 AM
To: JGO Testimony
Subject: Chief Justice's Appointment Order No. 2010-5; August 25, 2010; 10:00 am

Re: Chief Justice's Appointment Order No. 2010-5; August 25, 2010; 10:00 am
Blaine J. Kobayashi

As the Land Administrator for Maui Electric Company, I have worked with Blaine on several projects requiring easements and in-depth land knowledge. I always found Blaine to be a very competent and thorough attorney, representing his clients with utmost diligence. Although we may not have always seen eye to eye on some issues, we always found a way to work things out without compromising the interests of Maui Electric or his clients.

On a personal level, I have come to know Blaine through his son's involvement in Cub Scouts. He always seemed to be a very caring, nurturing parent. His son is a very well-mannered, good-natured boy and is an obvious reflection of proper upbringing.

All things considered, I find Blaine to truly be a person of honor and dignity, and wholeheartedly recommend him for this position. You would be doing the citizens of Maui a great service by confirming his appointment to the Second Judicial District Court.

Sincerely,

Craig H. Yamasaki
Land Administrator
Engineering Department, Land Division
Maui Electric Company, Limited
P.O. Box 398
Kahului, HI 96733-6898
PHONE: (808) 871-2367 or (808) 871-8461
FAX: (808) 871-2322
EMAIL: craig.yamasaki@mauielectric.com

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CARLSMITH BALL LLP

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August 24, 2010

VIA E-MAIL: JGOTESTIMONY@CAPITOL.HAWAII.GOV

Committee on Judiciary and Government Operations

The Senate
The Twenty-Fifth Legislature
Interim of 2010
Hawaii State Capitol
Honolulu, Hawaii 96813

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

**Re: Nomination of BLAINE J. KOBAYASHI
as District Court Judge, Second Circuit, Maui, Hawaii
Hearing Date: August 25, 2010
Hearing Time: 10:00 a.m.**

I am very pleased to write this letter in support of the nomination of Blaine J. Kobayashi for the position of District Court Judge of the Second Circuit, State of Hawaii. Between the years 2001 and 2008, I served as the Managing Partner of the Carlsmith Ball law firm. In that capacity, I was greatly impressed with the legal work and firm contributions made by Blaine. Blaine joined the Carlsmith Ball law firm in July of 2003 and has been a partner since July 1, 2005. Blaine is highly accomplished and possesses an outstanding legal mind. He has great insight into the Maui community and is sensitive to the issues that concern its businesses and residents. Blaine consistently provides his clients with excellent and well-thought through legal analyses and work product. Most importantly, Blaine is fair, thoughtful and a very personable and caring individual. He consistently demonstrates a superb work ethic, positive attitude, and persistence. He is, without doubt, one of the young leaders of our law firm.

Blaine has also demonstrated the highest ethical standards and integrity in both his professional and personal lives. He is exceptionally qualified to serve in our judiciary. The loss of Blaine will be very difficult for our law firm and, in particular, our Maui office, where he is a

Senate Committee on Judiciary and
Government Operations
Page 2
August 24, 2010

significant contributor. However, the State and Maui County will greatly benefit from his service and I am confident that he will serve all of us well in that position.

Thank you very much for this opportunity to lend my unqualified support to the nomination of Blaine Kobayashi.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michelle C. Imata", written over a horizontal line.

Michelle C. Imata

MCI:jnw

From: William McKeon [WMcKeon@pjpn.com]
Sent: Tuesday, August 24, 2010 9:02 AM
To: JGO Testimony
Subject: Blaine Kobayashi

I support the confirmation of nominee BLAINE KOBAYASHI as judge to the District Court of the Second Circuit. I have been practicing on Maui for 26 years and have known Blaine professionally for many years. He has the intellect, work ethic and demeanor to be a great judge.

Sincerely,

William M. McKeon, Esq.
Paul Johnson Park & Niles
Attorneys at Law
2145 Kaohu Street, Suite 203
Wailuku, Hawaii 96793
Tel: (808) 242-6644
Fax: (808) 244-9775

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JONATHAN J. CHUN
2954 MOKOI STREET
LIHUE, KAUAI, HAWAII 96766

August 24, 2010

Via Email Only

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Senate Committee on Judiciary and
Government Operations
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: JC1 Confirmation of Blaine J. Kobayashi
District Court of the Second Circuit, Judicial Nominee

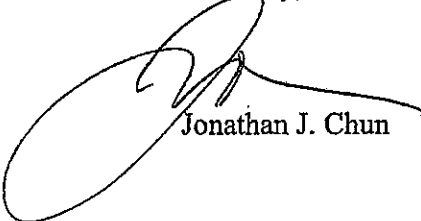
Dear Chair Taniguchi and Members:

My name is Jonathan Chun and I am submitting testimony in support of the nomination of Blaine J. Kobayashi to the District Court of the Second Circuit which confirmation is scheduled for hearing tomorrow, August 25, 2010, at 10:00 a.m., in Conference Room 229.

From 1992 to 1998 I was the First Deputy County Attorney for the County of Kauai. While serving as the First Deputy County Attorney, our office hired Mr. Kobayashi as a deputy county attorney. During this time I had the pleasure of supervising and working with Mr. Kobayashi as he made the transition from criminal law to civil and administrative law. I was impressed with Mr. Kobayashi's enthusiasm, intelligence and compassion. Mr. Kobayashi is a hard and diligent worker, but what impressed me the most about Mr. Kobayashi is his desire for "doing the right thing." This is a character trait that will serve the public well if he is confirmed.

I ask for your consideration and support of Mr. Kobayashi's confirmation.

Sincerely,



Jonathan J. Chun

From: Madelyn D'Enbeau [Madelyn.D'Enbeau@co.maui.hi.us]
Sent: Tuesday, August 24, 2010 9:25 AM
To: JGO Testimony
Subject: testimony for Judiciary Committee re Blaine Kobayashi 8/25/2010

Chair Taniguchi and members of the Committee on Judiciary and Government Operations

Re: JC1 Wednesday August 25, 2010 Blaine Kobayashi

I am writing to express my highest support for confirmation of the judicial nomination of Blaine Kobayashi to the District Court of the Second Circuit. I have worked with Blaine as a colleague when he worked for the Maui Department of Corporation Counsel and I have been on the opposite side of cases since he has been in private practice.

Blaine is always professional, courteous, and well prepared. His writing and legal skills are excellent. He would make a wonderful judge.

Of course this is my personal endorsement.

Madelyn D'Enbeau

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If you have received this transmittal in error, please notify me immediately by reply email and destroy all copies of the transmittal. Thank you.

RICHARD K. MINATOYA
P. O. Box 1366
Wailuku, Hawaii 96793
(808) 385-0088
kauailawyer@gmail.com

TESTIMONY IN STRONG SUPPORT FOR THE CONFIRMATION OF
BLAINE J. KOBAYASHI
TO THE
DISTRICT COURT OF THE SECOND CIRCUIT
AUGUST 25, 2010
10:00 A.M.

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

My name is Richard Minatoya, I am a licensed attorney in the State of Hawaii, and I submit this testimony in STRONG SUPPORT of judicial nominee BLAINE J. KOBAYASHI for his confirmation to the District Court of the Second Circuit.

I have known Mr. Kobayashi for over 30 years, starting when we both participated in the junior golf program on Kauai. We also began our law careers on Kauai at about the same time; Mr. Kobayashi with the County of Kauai Office of the Prosecuting Attorney, and myself with the law firm of Shiraishi, Yamada & Murashige.

During the time we practiced law on Kauai in the early 1990s, I represented clients in criminal matters in which Mr. Kobayashi was the prosecutor. While he was a zealous advocate for the State, Mr. Kobayashi was also cooperative and respectful to the courts, opposing counsel and adverse parties. I also believe Mr. Kobayashi's experience on Kauai taught him much about court and case management, where we had effective and efficient judges.

I later had the opportunity to work with Mr. Kobayashi when he both served as deputies corporation counsel for the County of Maui. Mr. Kobayashi was always an intelligent and effective litigator. His transition to private practice went well, and he is now a partner with Carlsmith Ball.

I truly believe that Mr. Kobayashi has the experience, intelligence, compassion and ability to serve as a judge in the district court. For these reasons I strongly support his confirmation without reservation.

Thank you very much for the opportunity to provide this testimony.



August 24, 2010

The Honorable Brian T. Taniguchi, Chairman
Committee on Judiciary and Government Operations
Hawaii State Capitol, Conference Room 229
415 S. Beretania Street
Honolulu, Hawaii 96813

Subject: Nomination of Blaine J. Kobayashi as Judge of the District Court of the
Second Circuit, State of Hawaii

Dear Senator Taniguchi and Members of the Committee on Judiciary and Government Operations:

Thank you for the opportunity to submit testimony in support of Blaine J. Kobayashi who has been nominated to serve as a Judge of the District Court of the Second Circuit, State of Hawaii.

I have known Blaine for the past seven years and have had the privilege of working together with him on several land development projects where he served as the project Attorney during his employment with the County of Maui and his current employer, Carlsmith Ball LLP. Blaine has also served as a volunteer youth basketball coach for my son's basketball team and has earned my respect and admiration for his dedication to youth sports in our community.

He is an intelligent, diligent, personable and compassionate person who, in my opinion, possesses the knowledge, qualities and skills that would make him an excellent jurist in our community. I strongly support his nomination and respectfully request your favorable consideration of his appointment as a District Judge of the Second Circuit.

Thank you very much for the opportunity to provide this testimony.

Very truly yours,

Reed M. Ariyoshi, P.E., L.S.
Chief Managing Engineer

RMA:cr

Maui Lani

A MASTER PLANNED COMMUNITY

August 24, 2010

Sent by e-mail: JGOTestimony@Capitol.hawaii.gov

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and
Government Operations
Hawaii State Senate
Hawaii State Capitol, Room 219
Honolulu, Hawaii 96813

Re: Judicial Nominee, **Blaine J. Kobayashi**,
District Court of the Second Circuit
Hearing Scheduled for August 25, 2010 at 10:00 AM

Dear Chair Taniguchi and Committee Members,

I am writing in support of the nomination of Blaine J. Kobayashi to the District Court of the Second Circuit. I have personally known Mr. Kobayashi for over 10 years and he has represented my company on several matters.

It goes without saying that he is exceptionally talented and has an astute legal mind, but it is his uncompromising ethical standards and pursuit of fairness that sets him apart from other lawyers. I am absolutely confident that he will be an outstanding adjudicator and I humbly request that your Committee confirm the appointment of Blaine J. Kobayashi to the District Court of the Second Circuit.

Regards,



BILL D. MILLS

BDM:jl

Maui Lani

A MASTER PLANNED COMMUNITY

August 24, 2010

Sent by e-mail: JGOTestimony@Capitol.hawaii.gov

Senator Brian T. Taniguchi
Chairman
Committee on Judiciary and Government Operations
Hawaii State Capitol, Room 219
Honolulu, HI 96813

Re: Judicial Nominee, **Blaine J. Kobayashi**
District Court of the Second Circuit
Hearing Scheduled for 10:00 a.m. August 25, 2010

Dear Chair Taniguchi and Committee Members:

This written testimony is submitted in support of the nomination of Blaine Kobayashi to the District Court of the Second Circuit.

Over the years, Blaine has always shown a tremendous sense of fairness, integrity and common sense in representing our company. His solid knowledge of the law has always served us well and we have come to greatly rely on his expertise. As a client, we will greatly miss his representation however, the benefits he will bring to the Second Circuit Court far outweigh our sense of loss.

I am confident that he will serve the Judiciary well and respectfully request that your committee approve his nomination to the District Court of the Second Circuit.

Sincerely,



Stacey Takaba
Partner – Maui Lani Partners

From: Patrick Wong [patkwong@hawaiiantel.net]
Sent: Tuesday, August 24, 2010 11:52 AM
To: JGO Testimony
Subject: JC1 In Support of Blaine Kobayashi

Aloha Chairman Taniguchi and Committee Members:

I write in support of Blaine Kobayashi and his confirmation as a judicial nominee for the State of Hawaii, District Court of the Second Circuit. I have known Blaine as a excellent lawyer. He is also a great father and community member.

I have been licensed to practice law here since 1992. I have lived in Maui since 1996. I am active in the community and have a solo law practice. I do appear in hearings before the District Court of the Second Circuit on occasion. I believe that the process is working well but will only improve with the addition of Blaine's confirmation.

I strongly believe that Blaine would provide the well balanced judicial temperament that this community needs. I have had cases where Blaine and I represented opposing positions in litigated matters. I truly appreciated his tone, civility, understanding of the law, and fairness in his advocacy.

Again, I support this nomination of Blaine Kobayashi for the judicial position in this District Court of the Second Circuit.

Mahalo,

Patrick K. Wong
Attorney at Law
2035 Main Street, Suite 2
Wailuku, Maui, Hawaii 96793
Telephone: (808) 244-2233
Facsimile: (808) 242-8525

From: Kathleen Aoki [kathleenaoki@yahoo.com]
Sent: Tuesday, August 24, 2010 2:51 PM
To: JGO Testimony
Subject: Blaine Kobayashi consideration and confirmation (August 25, 2010)

August 24, 2010

Senator Brian T. Taniguchi, Chair

Committee on Judiciary and Government Operations

415 South Beretania Street

Honolulu, HI 96813

Via Email: JGOTestimony@Capitol.hawaii.gov

Subject: Submitting for consideration and confirmation to the District Court of the Second Circuit, Judicial Nominee, BLAINE J KOBAYASHI, Hearing Date: August 25, 2010, Conference Room 229, Hawaii State Capitol

Aloha Chair Taniguchi and Members of the Committee:

I would like to extend my support of the nomination of Blaine J. Kobayashi for consideration and confirmation to the District Court of the Second Circuit.

I have had the pleasure of knowing and working with Mr. Kobayashi for nearly 8 years. During these years, I have worked with Mr. Kobayashi in both his capacity as an attorney for Corporation Counsel (County of Maui) and with the law firm of Carlsmith Ball LLP. I am writing this letter of support on my own behalf, and have known him in my capacity as a County Planner, Deputy Planning Director, and currently as Planning Director for the County of Maui.

In my years of knowing Mr. Kobayashi, he has represented the County of Maui, the Maui Planning Department, individual and corporate clients in a variety of legal matters relating primarily to land use within the County of Maui. I have always found Mr. Kobayashi to be knowledgeable of the applicable codes and his clients (whether it be the County or private entities) to be judiciously represented. His experience in litigation, both as a deputy for corporation counsel for Maui and Kauai County and as a deputy prosecutor for Kauai County, as well as a corporate attorney, would enable Mr. Kobayashi (in my very humble opinion) to more than adequately serve the position of district court judge. In a personal capacity, Mr. Kobayashi has always presented himself in a considerate and devoted manner both to his family and friends. It is certainly my privilege to call Mr. Kobayashi not only a colleague but a friend as well.

As such, I urge you to confirm Blaine J. Kobayashi to the District Court of the Second Circuit.

Sincerely,

Kathleen Ross Aoki

761 Paunau Street
Lahaina, HI 96761

PH: 250-0029

August 24, 2010

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

Re: BLAINE J. KOBAYASHI
Nominee for District Court Judge of the Second Circuit
JC1 – Wednesday, Aug. 25, 2010, 10:00am

We are submitting testimony in support of the nomination of Blaine Kobayashi for District Court Judge of the Second Circuit. It has been our honor and privilege knowing Blaine since he and his family first moved to Maui 10 years ago.

First and foremost, Blaine is a very dedicated father to his two children. His children have always been the first priority in his life. He is a supportive parent who is actively involved in his children's academics, sports activities, music and arts. He has coached youth basketball, volunteered as a youth director for his church and has served as President on the Waihee School PTA board.

A true testament of his character can be seen in how Blaine interacts with people. He takes a genuine interest in each person he comes into contact with. He listens with an open mind and a caring heart. Blaine's humble demeanor immediately makes people feel comfortable and earns their trust.

Blaine's desire to be a judge comes from his sense of duty, the willingness to serve and help his community. His compassion and empathy for people are qualities that will make him an effective judge. We wholeheartedly support his nomination as District Court Judge of the Second Circuit.

Sincerely,

Clint & Terri Komoda

KRIS N. NAKAGAWA
1604 Ruth Place
Honolulu, Hawaii 96716

August 24, 2010

By Electronic Mail

The Honorable Brian Taniguchi, Chair
The Honorable Dwight Y. Takamine, Vice Chair
Members of the Senate Committee on Judiciary
And Government Operations
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: JC No. 1 – Blaine J. Kobayashi, Judicial Nominee As Judge for the District Court of the Second Circuit of the State of Hawaii, For Term to Expire in Six Years; Hearing on August 25, 2010 at 10:00 a.m.

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

Thank you for the opportunity to testify on JC No. 1. I strongly support the appointment of Blaine J. Kobayashi as Judge for the District Court of the Second Circuit of the State of Hawaii ("District Court").

I am an attorney licensed in Hawaii since 1992 and presently employed at the law firm of Morihara Lau & Fong LLP. I was also employed as both a summer and full-time law clerk for an Associate Judge at the ICA in the early 1990s.

I first met Mr. Kobayashi in the mid-1990s as opposing counsel in a contested case proceeding on the island of Kauai. At that time, Mr. Kobayashi was serving as a County Attorney for the County of Kauai. In sum, I believe Mr. Kobayashi has the necessary judicial temperament and administrative skills, and the requisite knowledge and experience to perform the duties required and expected of Judge for the District Court. His legal knowledge and experience from both a public and private perspective will definitely be useful in his role as Judge for the District Court. Accordingly, I believe Mr. Kobayashi will be a great asset to the judicial system and the State of Hawaii.

I respectfully request your favorable consideration in the appointment of Mr. Kobayashi as Judge for the District Court.

Sincerely,



Kris N. Nakagawa

August 24, 2010

Senate Judiciary Committee,

I'm very supportive of Blaine Kobayashi's judicial nomination. Blaine has always conducted himself in and out of his profession honorably and in community minded way. Being born and raised on Maui and thoroughly understanding the County and State history will aid Blaine in being prepared to undertake his judicial responsibilities.

I have been present while Blaine has made presentations to the Maui County Council, the Maui Planning Commission, and the State Land Use Commission in an effective and organized fashion. He was always prepared and conducted himself professionally.

I believe Blaine is an excellent candidate for this position because he has the intellect, the experience and common sense to make the right decisions.

Sincerely,

David Gleason
437 Kolohala Dr.
Kula, Maui HI
808 269 0321

KIEFER & GARNEAU LLC
A Limited Liability Law Company

Richard Kiefer

Greg Garneau

Direct Dial (808) 871-6016
Email: jodieyasuda@hawaii.rr.com

August 20, 2010

Via Email (JGOTestimony@Capitol.hawaii.gov)

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Committee on Judiciary and Government Relations
State Capitol
Honolulu, Hawai'i 96813

Re: JC1 – Submitting for consideration and confirmation to the District Court of the Second Circuit, Judicial Nominee Blaine J. Kobayashi

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

It is with great pleasure that I write to you in strong support of Blaine J. Kobayashi's nomination to the District Court of the Second Circuit.

I first met Mr. Kobayashi at the very start of his legal career while he was employed as a Deputy Prosecuting Attorney for the County of Kauai and I was employed as a Judicial Assistant to George M. Masuoka, Retired Chief Judge of the Fifth Circuit Court of the State of Hawai'i. I am currently the office manager at a law firm on Maui which has had the occasion to work with the nominee on various matters.

From the moment I first observed Mr. Kobayashi in court, I knew that he would soon distinguish himself from his peers. He was always well prepared and organized, his legal arguments were concise and articulate, he treated the court staff and opposing counsel with the utmost courtesy and respect, and he always acted in a highly ethical manner. Additionally, I had never seen him lose his temper or composure in even the most contentious of cases which I believe is a much needed skill as a judge.

Likewise, upon dealing with Mr. Kobayashi outside of the courtroom and as a private practitioner, he has continued to display the same organization and skill and has always responded to us in a timely manner. Furthermore, whenever our firm could not represent clients due to time constraints or conflict, we were able to refer them to Mr. Kobayashi without any hesitation or doubt as we felt assured that the clients would be well served.

444 Hana Highway, Suite 204, Kahului, Hawaii 96732
Telephone: 808-871-6016
Fax: 808-871-6017

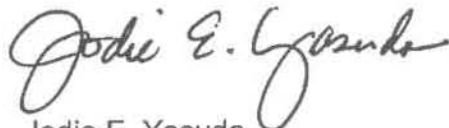
Mr. Kobayashi's extensive and varied legal background in both criminal and civil matters while employed as a deputy prosecuting attorney, deputy corporation counsel and private attorney representing both plaintiffs and defendants in civil litigation will greatly assist him as the District Court docket is diverse. This vast knowledge of the civil and criminal laws and rules, will enable him to hit the ground running on his first day on the bench.

Finally throughout my friendship with Mr. Kobayashi which also began at the start of his legal career, I have found him to be a very caring, kind and compassionate individual who has garnered great respect in his community. I have always been able to count on him when I was in need of counsel, guidance and support. It is with this same selfless nature that allows him to sacrifice a prestigious and lucrative career so that he may serve many others who turn to the courts as their last bastion of hope.

For all of those reasons, I urge you to confirm Blaine J. Kobayashi as a judge of the District Court of the Second Circuit.

Thank you for your consideration, and please do not hesitate to contact me if I can provide any further information.

Yours truly,


Jodie E. Yasuda