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2                                   State of Hawai'i  
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4                                   Honolulu, Hawai'i  
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13                                   TESTIMONY OF KA'IULANI LAMBERT

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15                                   Executive Session of the Senate Committee on Water,  
16 Land, Agriculture and Hawaiian Affairs' transcript of tape  
17 recorded testimony Re. Confirmation Hearing of Peter Young,  
18 commencing at 2:40 p.m. on Friday, April 13th, 2007.

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24 Transcribed April 19th, 2007 in Honolulu, Hawai'i  
25 by B. KANOELANI COCKETT, HI CSR 379, CA CSR 7995

1           SENATOR KOKUBUN: We remain in Executive Session to  
2 hear the presentation by subpoenaed witness Ka'iulani Lambert.  
3 It is approximately 2:40, Friday afternoon, April the 13th.

4           Present is Sarah Akinaka, Richard Wada, Jason  
5 Watts, Attorney General Mark Bennett. Members of the  
6 Committee are Chair Kokubun, Vice Chair Tokuda, Senator Sлом,  
7 Senator Fukunaka, Senator Hee.

8           Ka'iulani, will you please stand. I need to swear  
9 you in as part of our official proceeding.

10           THE WITNESS: Yes.

11           SENATOR KOKUBUN: Will you please raise your right  
12 hand.

13           Do you swear or affirm that the testimony that you  
14 will be giving at this hearing will be the truth, the whole  
15 truth and nothing but the truth?

16           THE WITNESS: Yes.

17 BY SENATOR KOKUBUN:

18           Q. Thank you very much. Please be seated.

19           A. Um-hum.

20           Q. Ka'iulani, I'm going to run through a few  
21 perfunctory kind of questions.

22           You have been subpoenaed to testify on the  
23 background, character and qualifications of Peter Young,  
24 who was nominated by the governor to be the chairman of the  
25 Board of Land and Natural Resources.

1           After undergoing the oath I'm sure you  
2 understand that the testimony you give today will have to  
3 be truthful.

4           Can you please verbally --

5           A.     Yes, I do.

6           Q.     Okay. Thank you. You know, you also understand  
7 that we are taping this proceeding so that we can establish  
8 a record of what is going on, so we would need for you to  
9 verbally --

10          A.     Yes, I understand.

11          Q.     Okay. Thank you very much, Ka'iulani. And  
12 thank you for your patience. I know you've been waiting  
13 for a number of days, and thank you.

14           You know, we have heard from already two staff  
15 people from the Bureau of Conveyances, essentially Harriet  
16 Enriques and Scott Chang. I want to just begin, then, by  
17 asking you to state your name for the record, your position  
18 at the -- and your place of employment and your address.  
19 I'm sorry, your name, address, place of employment and  
20 title.

21          A.     Okay. My name is Ka'iulani J. Lambert. I am a  
22 land document receiving clerk at the Bureau of Conveyances.  
23 I'm also an HGEA steward for Unit 3. My place of employment  
24 is at 1151 Punchbowl Street, and I have ten years with the  
25 department.

1 Q. Thank you very much. (Inaudible.)

2 You have -- are those documents that you have  
3 brought with you?

4 A. Pretty much. It's just a solidarity list of the  
5 people that supported us in our correspondence with Peter  
6 Young, and eventually which led to our letters to Bob Awana  
7 before we could even meet with Peter, because we had made  
8 several attempts to meet with him at various levels. Before  
9 we got to him we went to Dennis, we went through a chain of  
10 command and we brought our concerns to Peter, where it was  
11 rightfully supposed to be.

12 It wasn't until we told him that we would go, you  
13 know, further. You know, we wanted to go to Bob Awana, and  
14 basically it was to voice the concerns of our members and our  
15 employees at work. So this is pretty much it.

16 I don't know, am I supposed to be distributing this  
17 to you folks?

18 Q. We will take care of that.

19 A. Yeah, okay. Um. . .

20 Q. If you know, as you're making your presentation,  
21 Ka'iulani, if I tell you that we've already --

22 A. You've already got this stuff?

23 Q. No, no, not necessarily. As you're providing  
24 the information, as I say, I'm not being rude. I'm just  
25 informing you that we have heard one perspective, and so if

1 there are any questions, we can ask you --

2 A. Well, basically we all pretty much had this. And  
3 I'm not sure what Scott then provided for you, but what I did  
4 was we kept a record of all the things that we organized in  
5 order to present it to you folks.

6 For us this is all relatively new, and we went  
7 based off of our audit by Marion Higa, which is part of our  
8 Table of Contents. But firstly, like I said, this is just our  
9 correspondence with Peter Young, himself, and addressing some  
10 other issues and concerns.

11 On the second packet we have a whole bunch of  
12 stuff, too, that we actually tried to address with you folks.  
13 One is the audit. The second was, again, our solidarity list.  
14 C was our Pacific Business News articles because, you know,  
15 this is where the controversy started, and it was made public  
16 about our backlog and problems that we were having, issues  
17 like workplace violence. Our grievances were part of this,  
18 the prohibitive practice, and the reorg. chart.

19 Finally -- well, not "finally". We have the House  
20 bills that were eventually killed. I'm hoping that it didn't  
21 go through on the House. I'm not sure. There is still  
22 that -- you know, that timetable where that House rule was  
23 going to come back in. So we put that in here, and also the  
24 unresolved grievances that we had, which I had, and I just  
25 collected for the records.

1 Q. Thank you.

2 A. Um-hum.

3 Q. And, you know, in your ten years you said that  
4 you've worked for the Bureau of Conveyances?

5 A. Um-hum.

6 Q. It was always at the Bureau of Conveyances?

7 A. Yes.

8 Q. Did you work at DLNR in any other capacity?

9 A. No. I worked in the title business as well. I was  
10 at Island Title first where I started, and I stayed there for  
11 about ten months, and I joined with Long & Malone, which is no  
12 longer Long & Malone, and I was there for six years before I  
13 came over to the department.

14 Q. I appreciate you sharing this information.

15 One of the issues, you know, of course, that  
16 we've been made aware of through a number of people,  
17 including the investigator from the Attorney General's  
18 Office, Dennis Naganuma, is that there is an investigation  
19 going on now.

20 Can you shed any information on those issues  
21 from your perspective?

22

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25



1 Q. Yeah.

2 A. I mean, why would you even have us? Why don't you  
3 just take the whole Bureau of Conveyances and do it yourself  
4 and do the entire process?

5 Q. Right, and then the only issue being paying the  
6 dollar in conveyance tax?

7 A. Correct. I mean, that's normally how they would  
8 expedite the document. They wouldn't need to go through the  
9 formal procedures of actually getting a waiver. That's what  
10 the title companies do to escape from doing that.

11 Q. Oh.

12 A. Whether that's something legal, I cannot challenge.  
13 It provides me with certain things to record and I take it for  
14 what its worth.

15 Q. Do you know if these kinds of amendments cost  
16 the title company any additional monies, other than just  
17 the one dollar conveyance tax, I mean? You essentially are  
18 saying that the document had a flaw and so they want to  
19 amend it; is that correct? Do I have the right assumption?

20 A. Well, in this instance it's to do a correction they  
21 are going through the proper way. They are amending it to do  
22 like some kind of typos in the mean. So, actually, if they  
23 came to us at the receiving level where you come in to record,  
24 I would have accepted the document for what it was worth with  
25 a conveyance tax form. The document, itself, was recordable,





1 Q. How current is that agreement?

2 A. It was never re -- I don't know if it was revised.  
3 Some of these title companies don't even exist. Long & Malone  
4 is no longer there.

5 SENATOR TOKUDA: What is the date on that one?

6 THE WITNESS: This one is in '94.

7 SENATOR KOKUBUN: Oh, pretty old, then.

8 THE WITNESS: Yeah. And I do believe this is done  
9 with Sandy Furukawa during her tenure there.

10 SENATOR KOKUBUN: You think that's the most  
11 current?

12 THE WITNESS: As far as I know, this is the only  
13 one we have. If there was any amendments, they are not going  
14 to provide us a copy, and I know that there were some title  
15 companies that came forward to try and get in. They were not  
16 included in the process, and if they did amend it, then Carl  
17 would have records of any amendments, but to date, this is  
18 what the receiving section has.

19 SENATOR KOKUBUN: Okay. Members, any questions for  
20 Ka'iulani?

21 BY SENATOR TOKUDA:

22 Q. I'm just curious, Ka'iulani.

23 In terms of Carl Watanabe's assignments, yeah,  
24 or what he's tasked to do, who gives him these assignments?  
25 I mean, he's been assigned special projects, right? That's

1 his job description, but who would be the one to give him  
2 these special projects?

3 A. To assign the certain functions, I mean who  
4 actually put them there, I don't know, but what he's supposed  
5 to be doing, he has his clerks come down to take in -- they  
6 pick and choose what things they are going to check and what  
7 they are going to do, you know, on a daily basis. So I'm in  
8 the regular receiving section, so I'm not certain as to what  
9 they are actually taking upstairs. There's no gauging on my  
10 part because I'm on the other side, but from my understanding  
11 the clerks, at the time that they were addressing the backlog,  
12 took portions of dates, you know, that they were working  
13 supposedly in date order.

14 Q. At one point Carl was opening mail or going  
15 through the mail backlog?

16 A. Yes.

17 Q. And in opening mail you're opening checks,  
18 potentially, or receiving checks?

19 A. Actually, we have -- they have the clerks in the  
20 mail section or the will call section open all the documents.  
21 So they sorted through what they thought was important, which  
22 would have been the mortgages and deeds.

23 Q. Um-hum.

24 A. The ones -- the documents (inaudible) were mail  
25 dated they didn't work on right away. Like releases of

1 mortgages, they didn't feel it was critical, so they threw it  
2 on the side and they tried to address, I believe, the deeds  
3 and mortgages because those pretty much affect title because  
4 people are paying mortgages and the documents really aren't on  
5 record, and you might be paying a mortgage and you're not even  
6 holding title.

7 Q. I'm just trying to get at what happens if Carl,  
8 in his special assignment, was to deal with the mail  
9 backlog, he, himself, would be coming into contact with any  
10 potential checks that's in the mail. I know we've been  
11 told that in the mail you've got checks. Sometimes you  
12 even have cash, so whether Carl, himself, in doing the  
13 special projects would be coming into any contact with  
14 these checks.

15 A. I'm sure, yes.

16 Q. And who is Carl -- I know we probably asked this  
17 a few witnesses ago.

18 Who is Carl's supervisor? Who does he report  
19 to?

20 A. I believe it's supposed to be Bob and Peter in the  
21 chain of command.

22 Q. So there's no one between the director's office,  
23 essentially? It's just Peter, Bob, Carl?

24 A. Carl, yes.

25 Q. And are you aware as to whether or not, you

1 know, the director was involved in his reassignment or --

2 A. I'm not sure.

3 Q. Or you just know he was reassigned?

4 A. All we know is that he went on leave indefinitely,  
5 and of course we found that out first in the PBN, and so when  
6 we questioned Bob about it, you know, where we were asking, in  
7 essential, was is he on sick leave? Is he on family leave?  
8 You know, what kind of leave? What's going on? You know, we  
9 had no answers with us.

10 He goes, "Well, you know, that's with us right now  
11 and we respect that you guys honored, you know, that he's  
12 going to be out on leave indefinitely," with no explanation.  
13 You know, just kind of cut us off right there.

14 Q. And when was that, again?

15 A. I believe it must have been about January.

16 Q. January?

17 A. Of last year.

18 Q. 2006?

19 A. Yeah, between January and February.

20 Q. So since January 2006 he's been on special  
21 projects on the second floor?

22 A. I think that took in effect sometime in July, June  
23 or July.

24 Q. The special projects?

25 A. Yes.

1 SENATOR TOKUDA: Thank you.

2 SENATOR KOKUBUN: Okay. Members, any questions?

3 Yes, Senator Fukunaka.

4 BY SENATOR FUKUNAGA:

5 Q. You know, in, I guess, the correspondence that  
6 you provided us copies of --

7 A. Um-hum.

8 Q. -- you said that you had tried -- or I guess  
9 various groups of employees have tried to schedule and  
10 follow up in relaying some of the problems to the director,  
11 and you went through your chain of command and you  
12 subsequently had a meeting with Director Young, and with, I  
13 guess, Director Young and/or Bob Awana.

14 As a result of the meeting with Director Young,  
15 was there any followup, you know, as to the specifics  
16 you've provided, or was it pretty much just nothing  
17 happened after that and then you went to the governor's  
18 office, you know, to Bob Awana to try and seek some, I  
19 guess, implementation or addressing of, you know, the  
20 specific concerns that you brought to their attention?

21 A. Well, what had transpired is that if you read --  
22 what in essence happened was that we -- in the first attempt  
23 we sent that off to talk to Peter. We rallied our people to  
24 go to sign this solidarity letter to try and make appointments  
25 with him. He kept deferring us, you know, like, "You know

1 what, I can't make it here. I can't do it there. I'm going  
2 to defer you to Bob," you know, on our problems. So we  
3 already went to Bob to discuss issues.

4 And in our dialogue with Bob, we weren't getting --  
5 we knew we weren't going to get anywhere because we knew that  
6 Bob is trying his best to address the issues, but it was not  
7 moving anywhere. So we decided, you know what, we have to go  
8 to Peter, in essence, because the responses we got from Bob  
9 pretty much was going nowhere. So we just kept going up the  
10 line to address him, and he kept telling us, "No, come back to  
11 Bob." So it was just an endless circle we were going back in.

12 So we decided that the next on the chain would have  
13 been to try and correspond with Bob Awana. We sent e-mails to  
14 him. We sent our proposals of the things that we wanted to  
15 discuss, our e-mails -- pretty much our dialogue that we had  
16 with Peter.

17 When he found out that we went to Bob, he sent his  
18 secretary. His secretary e-mailed Scott Chang to schedule a  
19 meeting. So, in essence, we finally got our wish, and that  
20 was from December it took, I think, January when we finally  
21 got to meet with him.

22 And in the dialogue we had with him, with Peter, he  
23 assured us that he would take a full active role in the bureau  
24 affairs, and that he would come to, you know -- he was at the  
25 time having manager meetings when you were supposed to come up

1 with ideas on how to work on the backlog. He wanted us to  
2 actually get involved with the process of bringing ideas  
3 forward, and we did. We shot him ideas about -- like for me,  
4 it was flex time because that was an issue. And we actually  
5 had solutions, you know, to address the backlog.

6 If we had staggered some of the work hours, you  
7 would still have coverage in our sections. And technically,  
8 they wouldn't -- you wouldn't need a crew, in essence, to  
9 work, you know, in long hours. So we would stagger it and  
10 then you wouldn't have to work with a budget, you know, for  
11 overtime.

12 So that went back and forth, and right now we have  
13 got nothing. I've been e-mailing periodically, you know, to  
14 send stuff, and I found that the only way I would be able to  
15 address Peter is by shooting him e-mails.

16 We would try to make attempts to meet with him at  
17 his brown bags. He told us to come and -- you know. And I  
18 said, "Okay. You know, that's fine," but every time he posts  
19 them, it's like at quarter to 11, you know, for the first  
20 shift of lunch, and we don't know about it until after we find  
21 out. Okay. Well, oh, it's going on. Oh, okay. Or sometimes  
22 he posts it and then the next thing you know, it's cancelled.

23 So I shot an e-mail to him and said, "Well, you  
24 know, you told us that you want to have these interactions,  
25 but yet you cancel 'em," or, you know, "You know, what's the



1 purpose of having it?" At one time it just disappeared, so I  
2 said, "You know, you told us that you want us to correspond  
3 with you. You entertained the idea of coming back to -- you  
4 know, to go back to the brown bag, but where is it? What's  
5 become of it? I shot you that before. I told you about the  
6 problems we were having. I came to you. I went to lunch."

7 And let me tell you, at the beginning I went to the  
8 first one and he just had loads of people in there to talk to.  
9 And we had grievances about our one-hour lunch. So  
10 entertain -- not only do I try to come up -- I try to come up  
11 with solutions to help him, and he said, "Well, I'll look into  
12 it," but he never follows through. So that's pretty much what  
13 the discussions became with him.

14 It was apparent that, "You know what, I'm just  
15 going to -- I'm just going to entertain these ideas and then  
16 I'll get back to you," but he never follows through. So I'm  
17 still waiting on my flex time suggestion.

18 So in essence, yeah, got nowhere with him. I went  
19 to -- I think -- did anybody tell you that we went -- Bob  
20 Awana had told us to go to Laderta, so we went there, too, and  
21 I'm still waiting for them to correspond about our pretty much  
22 our daily activities at the bureau. So now within our e-mails  
23 we just fire away to everybody.

24 And we just got e-mailed, by the way. That was  
25 just in January, thanks to, you know, Dennis. It was pretty

1 much just one-sided stuff, because, you know, that Nicole was  
2 firing stuff to Lingle on a daily basis about the gripings  
3 about just what regular system is doing or what we're not  
4 doing. So this way we got the fair advantage. You know,  
5 we're on an equal playing field now. So at least they are  
6 going to hear and see the things that we were doing. And  
7 we're forwarding all the transmittals now and keeping track of  
8 those activities, but we never got any response from Bob  
9 Awana's office or Laderta.

10 SENATOR KOKUBUN: Senators, is that it?

11 SENATOR TOKUDA: Yup.

12 SENATOR FUKUNAGA: Yup.

13 SENATOR KOKUBUN: Okay. Senator Hee, you have  
14 questions?

15 SENATOR HEE: Yes.

16 Q. Ka'iu, thank you.

17 A. Um-hum.

18 Q. You provided us this?

19 A. Yes.

20 Q. Okay. You know, I went through this thing and  
21 it seems to me a lot of it, a lot of the letters have to do  
22 with the actions of Nicole Gagachang (phonetic), yeah?

23 A. Yes.

24 Q. On December 28th, you wrote to Peter Young.

25 A. Which one is that one?

1 Q. Attachment one of four. The receive date, 28  
2 December --

3 A. Yes.

4 Q. -- 1:38. Now, on page --

5 A. Yeah, I got it right here, a letter to Peter.

6 Q. -- 27.

7 And then in the third paragraph you say on line  
8 two, we see -- "We continue to see setbacks caused by the  
9 same incompetent land court branch chief."

10 A. Um-hum.

11 Q. Is that Carl Watanabe?

12 A. That is Nicole Gagachang.

13 Q. That's Nicole Gagachang.

14 Then you say that on line one, two, three, four,  
15 "Among these rants is overtime permitted for Sundays. The  
16 land court branch strongly believes that because she is  
17 unable to come in on Sundays, therefore, Sundays should not  
18 be permitted."

19 Why is that?

20 A. Because she goes to church on Sundays.

21 Q. No, no. Why is the land court branch chief  
22 necessary to be present?

23 A. That's policies that she set forth. She wants  
24 everything to be controlled by her and her alone. So if  
25 you're going to do any overtime, she has to be present,

1 although you have assistant registrars under her that  
2 supervise girls in their section. So, in essence, on certain  
3 occasions they do -- they do set -- they have ARs present to  
4 work on overtime, but she's trying to control just the weekend  
5 overtime.

6 Q. What is her job description? What -- or let me  
7 ask it this way.

8 What in her job description requires her to be  
9 present for people to work overtime on Sundays?

10 A. I don't know.

11 Q. I see. Has she -- have you folks asked her why  
12 she needs to be present, or have you asked Ihara or Masuda  
13 or have you folks made inquiries?

14 A. No, I haven't, I haven't.

15 Q. Okay.

16 A. Like I said, it's hard for me to pretty much get  
17 involved in their section because I'm on the other side.

18 Q. Um-hum. But I see one, two, three, four --

19 A. We all signed it because we're the stewards on this  
20 front page, yeah.

21 Q. But then also there is a petition in the back  
22 that's contained there.

23 A. Yeah.

24 Q. Okay. Who is Susan Cummings?

25 A. She is the land court receiving section supervisor.

1 Q. So are you familiar -- I don't know if you  
2 provided us this.

3 Are you familiar with this letter? You see  
4 where I underlined? That's why I'm wondering.

5 A. No, I'm not, I'm sorry.

6 Q. Let me see.

7 Did we have another handout so she can use that  
8 handout?

9 (Off-the-record discussion was held.)

10 BY SENATOR HEE:

11 Q. Thank you. If you use this one and I use that  
12 one, because I wrote stuff on it.

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\* \* \*

Q. Does Bob Masuda know that this kind of e-mail goes --

A. Oh, yes. So Masuda, he knows, too, because we go through the chain of command. We just fire off stuff. We as stewards take it, you know, personally, "What are these guys doing in here? Bob? Dennis? Peter?"

Q. It's all on the same e-mail?

A. Sometimes we address it, but then we cc it to them, you know, depending on circumstances. If we're dealing with Bob, we deal with Bob, but we cc, so, yes, Peter is well aware of all of this stuff.

Q. Has anyone taken corrective action or responded to the e-mail?

A. No, but I have one (inaudible) here on mine because, I mean, something really serious about this, if you need it, I sent it to Bob and Dennis. They are my immediate chain, and I cc'd it to Peter about his activities.

Q. Yeah, I --

A. In this instance I sent this. It was just recent.

1 Q. Yeah, yeah. Okay. Thank you.

2 A. Um-hum.

3 SENATOR HEE: That can be returned.

4 SENATOR KOKUBUN: Oh, she has a question.

5 SENATOR TOKUDA: Followup.

6 Q. You know, I notice you have a lot of the  
7 grievances in your packet.

8 What is the altercation that took place between  
9 Sandy Furukawa and Harriet, I believe, in terms of a  
10 workplace violence.

11 A. Workplace violence, that one led to us going to  
12 arbitration.

13 Q. This is not when Sandy worked for --

14 A. No.

15 Q. Was she working at Title Guaranty?

16 A. She worked for -- now, on that day I was not there  
17 to see it firsthand, but apparently what had happened was we  
18 were doing a recording for Title Guaranty, and Sandy just so  
19 happened to be recording on a personal, on personal stuff  
20 that -- she comes in frequently. At least once a week she  
21 records documents, but apparently she was there, but she said  
22 she was not there in the capacity of a TG employee but was  
23 recording personal stuff.

24 She had interfered with a recording process with  
25 one of our -- the TG clerks. The documents -- this instance a

1 document was recorded double system, and we were shorthanded.  
2 I was out sick, so Harriet came forward as a branch chief to  
3 the receiving section to help us, and she went on the front  
4 counter to receive documents while we checked -- while the  
5 other girls were taking prechecks.

6           Apparently there was some kind of altercation  
7 with -- or there was communication between another receiving  
8 clerk, Carla Martin. She did not -- she was supposed to  
9 recheck the document for a TCT number or a blank space.

10           For instance, you have a deed, and the following  
11 document is the mortgage. The mortgage needs the blank space  
12 to provide for the new certificate of title that was issued on  
13 the first document, which is the deed. There was nothing on  
14 the second page, so Harriet had to tell the girl, "You know  
15 what, you forgot the blank space for me to fill the TCT in on  
16 your mortgage." So it created some problems, and she already  
17 had recorded the document. Sandy got involved and there were  
18 words that were between her --

19           Q.     Words between Harriet and Sandy Furukawa?

20           A.     Harriet and Sandy. And Sandy was saying, "You  
21 don't need a TCT." Statute provides that if you're going to  
22 do any land court recordings, you need a TCT, a transfer  
23 certificate of title. So there were -- there were  
24 discussions, and Sandy Furukawa took it upon herself to say  
25 that Harriet was yelling at her, so it --



1 End of Tape 1, Side A

2 Tape 2, Side A.

3 THE WITNESS: Statute provides that if you're going  
4 to do any land court recordings, you need a TCT, a transfer  
5 certificate of title. So there were -- there were  
6 discussions, and Sandy Furukawa took it upon herself to say  
7 that Harriet was yelling at her. So it led to a workplace  
8 violence situation, which she went to Carl to discuss about  
9 what was going on.

10 There was an investigation by Carl stating, you  
11 know, his own investigation. He didn't take proper policies  
12 and procedures that was done. We have -- I think I have a  
13 policy here for zero tolerance workplace violence, but prior  
14 to this, Carl and Nicole were charged with workplace violence,  
15 and pretty much --

16 BY SENATOR TOKUDA:

17 Q. (Inaudible.)

18 A. Yeah. So in that instance, that pretty much got  
19 swept under the rug.

20 Q. But that was where Sandy, who no longer works  
21 for the bureau --

22 A. Um-hum.

23 Q. -- complained to Carl --

24 A. Um-hum.

25 Q. -- that his employee was --

1 A. Yelling.

2 Q. -- at her, and that was a situation of workplace  
3 violence?

4 A. Yes.

5 Q. But she's not an employee at the bureau?

6 A. Yes.

7 Q. She's a private citizen and --

8 A. Yes.

9 Q. -- and made (inaudible) allegations as a private  
10 citizen?

11 A. Yes.

12 Q. Did this take place with Sandy in front or  
13 behind of the counters?

14 A. In front of the counters.

15 Q. So she was there as?

16 A. She said personally, but then she got involved with  
17 TG business on the TG recording.

18 Q. And then you also had something about an illegal  
19 reorganization?

20 A. Yeah.

21 Q. What was -- I'm not sure where in your packet  
22 that was.

23 And was that, I guess, resolved?

24 A. Yeah. Carl was ultimately ordered to put the  
25 sections in the perspectives, org. On the org what he did was

1 we were reorg'd illegally to merge the receiving regular  
2 system and land court to receive both documents where statute  
3 allows you can't do that.

4 We come under two laws, 501 and 502. The recording  
5 procedures are different, but what they did was because they  
6 felt that that was in our capacity, we're doing pretty much  
7 the same thing, they merged us. When he merged this, it  
8 created more problems internally because we weren't cross  
9 trained to do the work in land court. You know, you're just  
10 assuming the duties, but there were problems with the  
11 recording process and eventually led to people not showing up  
12 to work.

13 Q. Okay. So Carl conducted this reorganization?

14 A. Yes. It started with Mason as a pilot program, and  
15 what it was supposed to do was we were going to do it on a  
16 short-time basis to see if it would actually work, but he was  
17 going through the process, process, you know, with the union  
18 for consultation to see if they could do it.

19 They were actually pilot programs to see if this  
20 stuff would work, but the bottom line was it created more  
21 problems internally as far as checking the documents and  
22 errors because there were no -- there was no training, cross  
23 training for both sections, because then we had to learn  
24 different reviewing procedures in that. So I was one of them  
25 that filed it. I was the original that filed the grievance.

1 BY SENATOR KOKUBUN:

2 Q. You know, Ka'iulani, one of the issues that have  
3 come up are the gifts that come from title companies.

4 Can you -- are you aware of that?

5 A. Oh, yeah.

6 Q. So that occurs at like, what, holiday time?

7 A. Holiday time.

8 Q. Is it a practice that's been going on for many  
9 years?

10 A. When I started it was already happening.

11 Q. Can you give us any idea about the different  
12 kinds of gifts that were brought?

13 A. During the year sometimes we would get malasadas or  
14 we would get manapua. I know there were situations when we  
15 were working on the weekends they would provide us lunch,  
16 provide us breakfast, you know, doughnuts, anything to -- like  
17 for Christmas times there would be gift packages or baskets  
18 and then.

19 Q. For every employee?

20 A. It was actually addressed to the bureau, and what  
21 they did was during Christmastime they placed it around the  
22 tree. Everybody would do a lottery thing where you pick  
23 numbers and they assign numbers to these things.

24 Q. Yeah.

25 A. And everybody would essentially get something out

1 of it, and if they didn't have, then they kind of made it that  
2 every employee had something, but this was going on for years.

3 Q. Oh. What about were there other kinds of gifts?  
4 Were there cash gifts?

5 A. I'm not aware of that. I'm not aware of that.

6 Q. Were there clothes?

7 A. No, not that I know of.

8 Q. Okay. What about trips?

9 A. Don't know about that.

10 SENATOR KOKUBUN: Okay. Okey-doke.

11 BY SENATOR HEE:

12 Q. Let me ask you something to follow up with that  
13 previous questions.

14 A. Um-hum.

15 Q. Are you aware of gifts to Nicole Gagachang or  
16 Carl Watanabe specifically?

17 A. I only heard, I only heard about them, trips to  
18 Vegas or probably we know that he went on conventions. And I  
19 heard that he also bragged about the fact that he may have  
20 had, you know, special interest groups like Marriott that he  
21 can stay anyplace in the states. He can go like, you know, he  
22 can get a hotel, and even his son could have a job working for  
23 them.

24 Q. But you don't know --

25 A. I don't know that, but that's like secondhand

1 information.

2 SENATOR HEE: All right. Thank you.

3 SENATOR KOKUBUN: Thank you. Thank you very much.

4 THE WITNESS: Um-hum.

5 SENATOR KOKUBUN: If there are no further  
6 questions, then, Ka'iulani, thank you.

7 THE WITNESS: Oh, you're welcome. I wondered if  
8 they also provided you with this.

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16 SENATOR KOKUBUN: Okay.

17 THE WITNESS: I'm going to give you whatever I  
18 have.

19 SENATOR KOKUBUN: Okay. Thank you very much.

20 SENATOR HEE: Thank you.

21 THE WITNESS: Oh, you're welcome. Thank you for  
22 your time.

23 SENATOR KOKUBUN: Thank you.

24 UNIDENTIFIED SPEAKER: Oh, Russ?

25 SENATOR KOKUBUN: It is 3:35 --

1 UNIDENTIFIED SPEAKER: I think those were our  
2 documents in the file.

3 THE WITNESS: Which one?

4 SENATOR TOKUDA: Oh, yeah, the packet from Mason is  
5 ours, this one right there.

6 THE WITNESS: Oh, yeah, sorry about that.

7 (Off-the-record discussion was held.)

8 SENATOR KOKUBUN: Thank you. Okay.

9 It is now 3:35 and we will close this Executive  
10 Session with subpoenaed witness Ka'iulani Lambert. Thank you.  
11 We are in recess.

12 End of Tape 2, Side A

13 End of testimony of Ka'iulani Lambert.

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