

**GM119**

PRESENTATION OF  
LAWRENCE M. REIFURTH

TO THE SENATE JUDICIARY AND GOVERNMENT OPERATIONS  
COMMITTEE  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

Friday January 29, 2010  
9:30 a.m.  
Conference Room 016

TESTIMONY ON GM 119 RELATING TO LAWRENCE M. REIFURTH FOR THE  
POSITION OF ASSOCIATE JUDGE, INTERMEDIATE COURT OF APPEALS

Good morning Chair Taniguchi, Vice Chair Takamine and members of the committee.

I am honored and humbled to come before this committee today to be considered for the position of Associate Judge of the Intermediate Court of Appeals.

I appreciate the confidence that the Judicial Selection Commission has shown by recommending me, and that Governor Lingle has shown by nominating me.

I would like to thank Chair Taniguchi, Vice Chair Takamine, the members of this committee and all the Senators who met with me over the past several weeks to discuss my nomination. The questions and comments that I have received have helped me understand your expectations and to focus my own thinking about the challenges of this position. I look forward to today's hearing, and the opportunity that it gives me to answer any questions that you might have about my qualifications.

I have provided the committee with copies of my application to the Judicial Selection Commission and my resume, so I won't repeat that information now.

But I would like to emphasize a few things.

I came to both law and public service belatedly. My parents were working people, 9 – 5, five-days a week, like most. My father was a social worker and my mother an office clerical who earned enough to buy a \$14,000 house and put their kids through public school. Family dinners did not revolve around discussion of the day's great questions, but what we did at school or at work that

day. There was no money for college, but my sister and I worked through high school and college and managed to pay our own way.

I did not go to law school with a particular career in mind. I went to law school because I was drawn to what the law represented: a collection of principles around which people come together to explain, define, organize and rule themselves. The law represents how we see ourselves, maybe not what we are, but what we want to be. It's aspirational. It's also directive.

I was fortunate to find my direction only two years out of school, when I stumbled across a job representing the cities of Sausalito, Mill Valley and Fairfax in Marin County, California.

Since then, and to the current day where I serve as Director of the Department of Commerce & Consumer Affairs, I have worked on both sides of the public and private legal divide, but always with a focus on the intersection of private and public legal interests.

I very much liked that job in California, but I loved my wife, Mei, and our plans for a family even more. So we moved to Hawai'i in 1989 to be embraced by the love of her family and to raise our children in a place that is second to none for that purpose.

For a lawyer who is passionate about public service, there is no greater challenge or calling than being a judge. There is nothing more fundamental to our democracy than ensuring that justice is done when citizens come before the courts.

It is an exciting and challenging time for the Intermediate Court of Appeals. The Court's role has evolved over the last several years, and the number of cases that it has to decide has skyrocketed, due to the recent restructuring of the appellate system. Over the past year, the Court has lost two dear friends (and two of my former bosses), with Mark Recktenwald moving up to the Supreme Court and Corrine Watanabe retiring. Replacing them is a supreme challenge itself.

But it is an excellent Court with accomplished judges, and I am excited about the possibility of working with them to meet those challenges.

If I am confirmed, my goals as a judge will be simple: decide cases fairly and impartially; respect the parties who come before the court, my colleagues and the judicial system; write opinions that are clear and well reasoned; and

Testimony of Lawrence M. Reifurth  
GM119  
January 29, 2010  
Page 3

faithfully apply the law. I want every litigant, whatever the outcome of their case, to believe that they were treated fairly and promptly.

I have been blessed throughout my career with the support of wonderful family, colleagues and friends. My wife Mei is here today, and I would like to introduce her to the committee. Also, I'd like to thank everyone who submitted testimony or who came here today to speak on my behalf.

Once again, I thank the committee for this opportunity today, and I look forward to answering your questions.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-FIFTH LEGISLATURE, 2010**

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**ON THE FOLLOWING MEASURE:**

G.M. NO. 119, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE INTERMEDIATE COURT OF APPEALS, ASSOCIATE JUDGE, GUBERNATORIAL NOMINEE, LAWRENCE M. REIFURTH FOR A TERM OF TEN YEARS.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

**DATE:** Friday, January 29, 2010      **TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** Mark J. Bennett, Attorney General

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Chair Taniguchi and Members of the Committee:

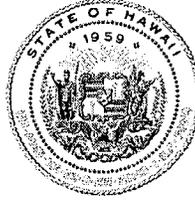
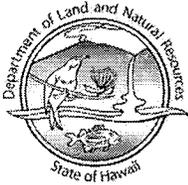
I strongly support the nomination of Lawrence M. Reifurth as an associate judge of the Intermediate Court of Appeals.

I have known Mr. Reifurth for many years, and I believe he is well qualified to serve as an appellate judge.

Mr. Reifurth's extensive experience as a Deputy Attorney General in Hawaii, as an assistant city attorney in California, and as an attorney in private practice has given him a thorough understanding of the judicial system. As the Director of the Department of Commerce and Consumer Affairs, and previously as that department's Deputy Director and as Hawaii's Insurance Commissioner, he has proven himself to be a strong leader and a good administrator. He has an excellent judicial temperament, and consistently demonstrates integrity and fairness, sound judgment, and common sense.

Mr. Reifurth is a dedicated public servant with a strong work ethic. He has served with distinction for many years, and I believe he is well suited to continue serving the people of Hawaii as a judge of the Intermediate Court of Appeals. I respectfully ask the Committee to recommend confirmation.

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
LAURA H. THIELEN  
Chairperson**

**Before the Senate Committee on  
JUDICARY**

**Friday, January 29, 2010  
9:30 AM  
State Capitol, Conference Room 006**

**In consideration of  
GOVERNOR'S MESSAGE 119 - SUBMITTING FOR CONSIDERATION AND  
CONFIRMATION TO THE INTERMEDIATE COURT OF APPEALS AS ASSOCIATE  
JUDGE, GUBERNATORIAL NOMINEE, LAWRENCE M. REIFURTH FOR A TERM  
OF TEN YEARS.**

It is my great pleasure to testify on Governor's Message 119, in strong support of Lawrence Reifurth's nomination to the Intermediate Court of Appeals as Associate Judge.

I have had the pleasure of working with Larry for several years as part of Governor Lingle's administration. As you know, Larry was Deputy Director of the Department of Commerce and Consumer Affairs (DCCA) with Mark Recktenwald when that department made tremendous strides to make most of their business registration services available on-line via the Internet.

This significant transition required Administrators who understood the greater public service that could be provided, yet who paid attention to the details to ensure the transition was successful. As an Administrator of another department undergoing this change, I can tell you the details are daunting: Ensuring state and public security is not compromised, internal staff is trained and equipped to provide seamless services during the transition, internal information technology needs to manage the data and demand are upgraded and ready as the programs are developed. Larry and Mark not only managed all this – they were the first department to do so. Without any disrespect to Mark or my other fellow directors, we also know that the deputies – in DCCA's case it was Larry – are the "go to" people who really make these programs successful.

A good friend of mine who is a lawyer on Kauai told me how much help it is for his clients and his business to now be able to access the registration services and information from DCCA on-line. This gentleman said the on-line access was the single most helpful thing he's seen government do in years.

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Larry saw this benefit, and helped guide many people in his department calmly through the transition in a few short years. When I came in to the Department of Land and Natural Resources seeking to guide a similar transition in the Bureau of Conveyances, Larry was unselfish in providing me with insights and specific advice. His input was both high-level policy regarding the public good, as well as technical on specific matters that need attention for a successful project.

You may be wondering why this would make him a good judge. The reason is these traits represent Larry's responsible and public-service demeanor. His calm, sense of responsibility, and ability to keep the public service aspects of government foremost, will guide his actions on the bench. I trust him to take each case seriously, evaluate it on the merits, understand the law, and to apply it fairly. He will serve Hawaii well and diligently. Please confirm Larry as our next Intermediate Court of Appeals Judge.

LINDA LINGLE  
GOVERNOR



DARWIN L.D. CHING  
DIRECTOR

COLLEEN Y. LaCLAIR  
DEPUTY DIRECTOR

**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
www.hawaii.gov/labor  
Phone: (808) 586-8842 / Fax: (808) 586-9099  
Email: ddir.director@hawaii.gov

January 26, 2010

To: The Honorable Brian T. Taniguchi, Chair  
and Members of the Senate Committee on Judiciary and Government Operations

Date: January 29, 2010

Time: 9:30 a.m.

Place: Conference Room 016, State Capitol

From: Darwin L.D. Ching, Director  
Department of Labor and Industrial Relations

**GM 119 – LAWRENCE M. REIFURTH  
Intermediate Court of Appeals, Associate Judge**

I strongly support the nomination of Mr. LAWRENCE M. REIFURTH to serve as an associate judge of the Intermediate Court of Appeals.

I have personally known Mr. Reifurth for many years and he has always displayed a genuine sense of integrity and professionalism. He is an individual that possesses great character and a committed attitude to fairness.

In his past positions as Director of the Department of Commerce and Consumer Affairs, private attorney and other positions in state government, Mr. Reifurth has clearly demonstrated that he is a great leader and an outstanding public servant. He consistently shows sound judgment and equality in all areas.

I believe that he will continue to be a great asset, and therefore I respectfully request the committee's favorable confirmation of Mr. Reifurth.

LINDA LINGLE  
GOVERNOR



RUSS K. SAITO  
COMPTROLLER

SANDRA LYAHIRO  
DEPUTY COMPTROLLER

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

January 28, 2010

The Honorable Brian T. Taniguchi, Senate Chair  
Committee on Judiciary and Government Operations  
Hawai'i State Capitol, Room 219  
415 South Beretania Street  
Honolulu, HI 96813

Dear Senator Taniguchi:

I write this letter in strong support of Larry Reifurth as the Governor's nominee for the position of Associate Judge of the Intermediate Court of Appeals, State of Hawai'i. I have known and worked with Larry in his capacity as deputy director and currently as director of the Department of Commerce and Consumer Affairs. In my dealings with him, Larry has always behaved professionally and with integrity. I have observed his temperament to be calm and reasoned, ideal for the court to which he is being nominated.

One incident stands out in my mind. In a meeting with a neighborhood group near the stadium on matters of interest to the stadium, there were several questions related to the functions and authority of the DCCA. Larry represented the department and its duties very well but in the midst of his dialog, the point he wanted to make most of all, was that in spite of their authority to regulate "commerce and consumer affairs" he and the people in his department were public servants, and that their mission was to serve the public, and not the other way around.

I believe that with this perspective, his training in the law, his demonstrated ability to deal with complex regulatory issues and provide reasoned, fair decisions, you may consent with confidence on the nomination of Larry Reifurth to this important position.

Sincerely,

A handwritten signature in black ink, appearing to read "Russ K. Saito".

RUSS K. SAITO  
Comptroller

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

TESTIMONY IN SUPPORT OF  
LAWRENCE M. REIFURTH  
GUBERNATORIAL NOMINEE AS INTERMEDIATE COURT OF APPEALS  
ASSOCIATE JUDGE

DATE: Friday, January 29, 2010

TIME: 9:30 A.M.

PLACE: Conference Room 016

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

I am writing in STRONG SUPPORT of Lawrence Reifurth's confirmation as Associate Judge, Intermediate Court of Appeals.

I first met Lawrence when we served as Deputy Directors of the Department of Taxation and the Department of Commerce and Consumer Affairs (DCCA), respectively. I have had the opportunity to become better acquainted with him over the last few years, after he was appointed by the Governor to serve as DCCA Director.

Lawrence has always impressed me as a level-headed, intelligent person with high ethical standards. He is articulate and shows good judgment when making decisions. Lawrence also has a strong legal background, both in the private sector and as a government lawyer. He has diverse experience in such areas as commercial litigation, education law, employment law, regulatory law, and contract law. This legal background, combined with his many years of administrative experience and his experience serving as State Insurance Commissioner, ensure that Lawrence will be well-equipped to deal with the challenges and responsibilities of an appellate court judge. I am confident that he will do an excellent job.

I urge this committee to recommend Lawrence Reifurth for confirmation as Associate Judge, Intermediate Court of Appeals.

Very truly yours,



Marie C. Laderta, Director  
Department of Human Resources Development



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

**LAWRENCE M. REIFURTH**  
**Associate Judge, Intermediate Court of Appeals**

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

Hearing: Friday, January 29, 2010, 9:30 a.m.  
Conference Room 16  
State Capitol

The Board of Directors of the Hawaii State Bar Association appreciates the opportunity to comment on the qualifications of Lawrence H. Reifurth for the position of Associate Judge, Intermediate Court of Appeals.

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 Lawrence H. Reifurth to be qualified for the position of Associate Judge, Intermediate Court of Appeals

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Senator Brian Taniguchi, Chair  
Senator Dwight Takamine, Vice Chair  
Committee on Judiciary  
State Capitol, Honolulu, Hawaii 96813

HEARING      Friday, January 29, 2010  
                  9:00 am  
                  Conference Room 229

**RE:    GM 119 Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, Lawrence M. Reifurth for a term of ten years.**

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

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 23% of the labor force.

**RMH supports the confirmation of Lawrence M. Reifurth as Associate Judge to the Intermediate Court of Appeals for a term of ten years.**

For the past three or so years, our organization has worked with Mr. Reifurth in his capacity as the Director of the Department of Commerce and Consumer Affairs. His openness and willingness to consider different points of view and his ability to achieve consensus to resolve differences are exemplary. Mr. Reifurth's high standard of integrity will serve Hawaii and our citizens in the best possible manner.

The members of the Retail Merchants of Hawaii respectfully request your approval and recommendation to the Senate for his confirmation. Thank you for your consideration and for the opportunity to comment.

A handwritten signature in cursive script, appearing to read 'Carol Pregill', is written in black ink.

Carol Pregill, President

RETAIL MERCHANTS OF HAWAII  
1240 Ala Moana Boulevard, Suite 215  
Honolulu, HI 96814  
ph: 808-592-4200 / fax: 808-592-4202  
web site: <http://www.RMHawaii.org>



# The Hawaii Business League

Century Square 1188 Bishop St., Ste 1003 Honolulu, HI 96813-3304  
Phone: (808) 533-6819 ♦ Facsimile: (808) 533-2739

January 29, 2010

Testimony To: Senate Committee on Judiciary and Government Operations  
Senator Brian T. Taniguchi, Chair

Presented By: Tim Lyons  
President

Subject: GM 119 – Submitting for consideration and confirmation to the  
Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee,  
LAWRENCE M. REIFURTH for a term of ten years.

Chair Taniguchi and Members of the Committee:

I am Tim Lyons, President of the Hawaii Business League, a small business service organization.

We support this nomination.

Over the years we have had a number of dealings with Mr. Reifurth, both as deputy director of DCCA, as well as the director of DCCA. We are encouraged to find individuals of his caliber to be nominated to the Intermediate Court of Appeals. We are heartened by such an appointment because we have come to know Mr. Reifurth as an individual who is balanced, studious regarding the questions before him and fair in his approach to finding solutions.

He has exhibited a great sense of the current regulatory structures that exist within the DCCA and we are quite confident that he would have a clear grasp and understanding of the many issues that come before the ICA as an associate judge.

It is based on this then, that we can highly recommend Mr. Reifurth for a term on the Intermediate Court of Appeals.

Thank you for your consideration.

# HAWAII FINANCIAL SERVICES ASSOCIATION

c/o Marvin S.C. Dang, Attorney-at-Law

P.O. Box 4109

Honolulu, Hawaii 96812-4109

Telephone No.: (808) 521-8521

Fax No.: (808) 521-8522

January 29, 2010

Sen. Brian Taniguchi, Chair  
and members of the Senate Committee on Judiciary & Government Operations  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: **Governor's Message 119**  
**Confirmation of Lawrence M. Reifurth**  
**as Associate Justice to the Intermediate Court of Appeals, State of Hawaii**  
**Hearing Date/Time: Friday, January 29, 2010, 9:30 A.M.**

I am the attorney for the **Hawaii Financial Services Association** ("HFSA"). The HFSA is the trade association for Hawaii's financial services loan companies.

The HFSA supports the confirmation of Lawrence M. Reifurth as Associate Justice to the Intermediate Court of Appeals, State of Hawaii.

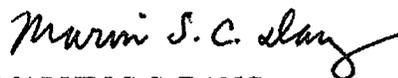
We have known Mr. Reifurth from our work with him in his capacity as the Director (and previously as the Deputy Director) of the Department of Commerce and Consumer Affairs ("DCCA"). We have been impressed with Mr. Reifurth's leadership and administrative abilities. As DCCA Director, he oversees the activities of the DCCA, which has nearly 400 employees, and which regulates numerous industries, enforces Hawaii's consumer protection laws, licenses various professions and vocations, and registers businesses.

Besides Mr. Reifurth's leadership and administrative experiences, he has an extensive legal and litigation background in both the private and public sector. He was "Of Counsel" to a Honolulu law firm, he was the State Insurance Commissioner, and he was a Deputy Attorney General.

Mr. Reifurth has the qualities needed to be an Associate Justice including judicial temperament, legal ability, intelligence, integrity, fairness, decisiveness, and diligence.

For the above reasons, we urge your favorable consideration of the nomination.

Thank you for considering our testimony.



MARVIN S.C. DANG  
Attorney for Hawaii Financial Services Association

(MSCD/hfsa)

January 28, 2010

The Honorable Brian T. Taniguchi, Chair  
The Honorable Dwight Y. Takamine, Vice Chair  
State Senate Committee on Judiciary and Government Operations  
The Twenty-fifth Legislature  
Regular Session of 2010

RE: Supporting the Nomination of Mr. Lawrence M. Reifurth to the Intermediate Court of Appeals

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

I'm Leslie Wilcox, President and CEO of PBS Hawaii, the islands' only public television station. We're a nonprofit educational organization.

Mr. Reifurth's current position as Director of the Department of Commerce and Consumer Affairs included re-framing and renewing the Ocean Time Warner cable franchise fee. PBS Hawaii receives 1% of this funding to support first-rate educational programming that is broadcast free to over-the-air viewers statewide and carried on cable.

This is to support without reservation Mr. Reifurth's nomination to the ICA bench. I know him to be a fair-minded man who understands and loves our community and who is dedicated to public service. He has shown he's able to sort through complex subjects and withstand competing pressures to do the right thing in keeping with the law. He is an active listener and a keen questioner, with the ability to understand and navigate emerging issues that are multi-disciplinary and groundbreaking. At times of controversy inherent in the many diverse voices of public media and allocation of resources, Mr. Reifurth has remained calm and thoughtful and dedicated to fairness, displaying a temperament appropriate for a judge.

He will be missed as the capable director of a large State department, but his talents will be put to higher use as an Associate Justice on the Intermediate Court of Appeals.

I urge you to recommend Senate confirmation of Mr. Reifurth's judicial nomination. Thank you for your consideration.

Respectfully,



Leslie Wilcox  
President and CEO



# WAIKIKI IMPROVEMENT ASSOCIATION

Statement of  
**Rick Egged**  
**President, Waikiki Improvement Association**  
Before the  
**Senate Committee on Judiciary and Government Operations**  
Friday, January 29, 2010, 9:30 AM  
State Capitol, Conference Room 16  
  
Regarding Governor's Message 119  
Confirmation of Lawrence M. Reifurth  
To the  
Intermediate Court of Appeals, Associate Judge

Good Morning Chair Taniguchi, Vice-Chair Takamine and members of the Committee:

I am Rick Egged, President of the Waikīkī Improvement Association, offering testimony in support of the nomination of Lawrence M. Reifurth to the Intermediate Court of Appeals, Associate Judge.

Lawrence Reifurth has served our state well first as Deputy Director and then Director of the Department of Commerce & Consumer Affairs and in the past as a Deputy Attorney General and as State Insurance Commissioner. I have known Mr. Reifurth since his days as a Deputy in the Attorney General's Office. He is an excellent attorney who works hard and addresses issues in a timely manner. Probably more germane to the subject at hand he gave reasonable advice showing good judgment and tremendous concern for the public. I have had the opportunity to observe him in numerous circumstances over the years and found him to be a truthful and honest man. Larry Reifurth also has been a tireless contributor to numerous community activities including the Aloha United Way, the Special Olympic and various organizations that support youth swimming activities.

Larry Reifurth would be a member of the Judiciary that we could all be proud of.

Thank-you for this opportunity to testify.

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**From:** DAVID NAKASHIMA [DAN@ahfi.com]  
**Sent:** Tuesday, January 19, 2010 8:23 AM  
**To:** JGO Testimony  
**Subject:** Lawrence M. Reifurth [GM 119/ 1/29/10 @ 9:30 a.m.]  
**Attachments:** ATT00001.gif

Senators Taniguchi and Takamine-

After the recent spate of State judicial retirements I was very pleased to learn the Lawrence Reifurth had been nominated to the Hawai'i Intermediate Court of Appeals.

Mr. Reifurth brings to the judiciary the qualities necessary to be an excellent judge: intelligence, dedication, experience and most importantly, a fundamental sense of fairness. I believe the judiciary will be considerably strengthened by Mr. Reifurth's presence on the ICA.

Please consider this as an unequivocal recommendation of Mr. Reifurth's judicial nomination.

Thank you.

DAVID A. NAKASHIMA



ALSTON HUNT FLOYD & ING  
1001 BISHOP STREET  
SUITE 1800  
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January 19, 2010

TESTIMONY TO THE  
COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
For Hearing on Friday, January 29, 2010  
9:30 a.m., Conference Room 16

**G.M. NO. 119**  
**Nomination of Lawrence M. Reifurth**  
Intermediate Court of Appeals

To the Honorable Chair Brian T. Taniguchi, Vice-Chair Dwight Y. Takamine and Members of the Committee:

Please accept this as a very strong endorsement for the appointment of Lawrence ("Larry") M. Reifurth to the judicial vacancy on the Intermediate Court of Appeals. As a former Deputy Attorney General and former Deputy Director for the Department of Human Resources Development, I have had the privilege of working with Larry in both legal and administrative capacities. Throughout, Larry has proven himself to be a comprehensive, analytical and sound thinker.

Over the years, Larry has consistently exhibited a calm and even-tempered demeanor. There is no dispute that his legal skill set is sound. He will be an effective contributor to the Intermediate Court of Appeals.

In closing, I cannot think of any individual who is better suited to serve as an Associate Judge on our respected appellate Court. With Larry, we can be assured that he will champion fairness, honesty, thoroughness, and the critical imperative – proper application of Hawai`i laws.

Thank you for the opportunity to share my perspective on such an outstanding candidate. I respectfully urge the Committee on Judiciary and Government Operations to recommend Mr. Reifurth to the full Senate for confirmation as an Associate Judge for the Intermediate Court of Appeals.

Very truly yours,



JANICE T. KEMP

# RICK TSUJIMURA

745 FORT STREET MALL, 17TH FLOOR, HONOLULU, HAWAII 96813  
TELEPHONE: (808) 521-9500 • FACSIMILE: (808) 541-9050

January 19, 2010

The Honorable Brian Taniguchi, Chair  
The Honorable Dwight Y. Takamine, Vice Chair  
Members of the Senate Committee on  
Judiciary and Government Operations  
State Capitol, Room 16  
Honolulu, Hawaii 96813

Re: GM 119: Consideration and Confirmation to the  
Intermediate Court of Appeals, Associate Judge,  
Gubernatorial Nominee, Lawrence M. Reifurth

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

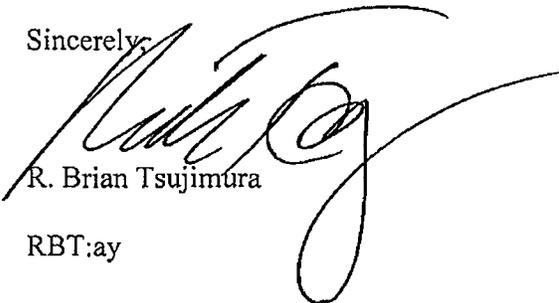
I support the nomination of Lawrence Reifurth as a justice of the intermediate appellate court. I have known Larry from the days he served as a deputy attorney general, insurance commissioner, and as both deputy director and director of the Department of Commerce and Consumer Affairs ("DCCA"). He has always been reasonable, fair and firm. But more than this he has been open to discussion and willing to listen. That is something which is a rare commodity in this day and age.

During Larry's term as insurance commissioner we worked on addressing the consequences of Hurricane Iwa and the startup of the Hawaii Hurricane Relief Fund. While Larry and I did not always agree, he was willing to listen to my client's position and address their concerns. Similarly, Larry was always willing to resolve issues at the DCCA during his term as deputy and director.

I am also proud to call Larry a friend, but more importantly, I am proud that he has been nominated to this position. He joins a list of individuals with whom I have had the privilege of serving and working for all of my professional career from Ed Honda to Wayne Minami to Tany Hong to Mary Bitterman to Mark Recktenwald.

I ask for your favorable consideration and recommendation of his nomination.

Sincerely,

  
R. Brian Tsujimura

RBT:ay

---

**From:** Kenneth Kupchak [krk@hawaiilawyer.com]  
**Sent:** Tuesday, January 19, 2010 4:09 PM  
**To:** JGO Testimony  
**Subject:** GM119-Testimony in Support of Nomination of Lawrence M. Reifurth - ICA Judgeship:  
Hearing Jan. 29, 2010 -JGO

## **Testimony in Support of Lawrence M. Reifurth's Nomination for a Hawaii Intermediate Court Of Appeals Judgeship**

**My name is Kenneth R. Kupchak. I am and have been, since 1971, a member of the Hawaii State Bar. I have been chair of a HSBA Comm. and served on the Governing Board of the American Bar Association's Forum On The Construction Industry, as well as of its Division One: Dispute Avoidance and Resolution, and a number of the Forum's committees over the last decades. In addition, over the past 40 years, I have been involved in many community activities from serving as Vice Chair of a private Pre-K through 12 private school of 1,500 students, Chair of a Neighborhood Board, various Community Associations, and two significant Hawaii Non-Profit organizations to co-founding the Hawaii Lacrosse Club and serving as a youth Coach in Soccer, Baseball and basketball over a nine year period.**

**During the 1990's, Mr. Reifurth and I each represented parties with similar interests in a number of major companion litigation cases. Together we litigated these cases on the most sophisticated of issues in such a manner that our respective clients received tens of millions of dollars in settlement payments. During these intense cases, I had a first hand opportunity to observe and test Mr. Reifurth's mental acuity, trustworthiness, work ethic, ethical values and genuine good faith. Mr. Reifurth passed every test with flying colors. Following his departure from the practice to serve his community within the State Government, as a result of the professional and personal respect developed during our companion legal ordeals, we have followed each other's careers and kept in touch.**

**Mr. Reifurth understands:**

- 1- the policies underlying the law and has the requisite experience and acumen necessary to assess the impact of the Court's decisions on party litigants;**
- 2- the pressures under which counsel labor in representing their clients; and**
- 3- the practical necessities leading to and driving the dispute resolution processes.**

**As our adversary system, if pursued to the end, normally results in a winner and loser, it is important that a Judge be compassionate. One of Mr. Reifurth's major strengths is that he is a compassionate individual. He is, not surprisingly, also a good listener. He neither prejudices the results nor holds prejudices that would unfairly tip the balance between litigants. Simply put, all will receive a fair hearing before "Judge" Reifurth, should he be so fortunate to obtain your consent.**

**I fully support the nomination of Lawrence M. Reifurth for a seat on the Hawaii Intermediate Court of Appeals bench. And urge that you confirm this nomination. He will proudly, professionally and honorably serve all of Hawaii's many people.**

**Kenneth R. Kupchak, 1085**

Kenneth R. Kupchak  
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<http://www.hawaiilawyer.com>  
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Margaret E. Parks

Of Counsel  
Frederick W. Rohlfing III  
Gary L. Wixom

Bruce C. Bigelow (1946-2001)

January 20, 2010

Chair Brian T. Taniguchi  
Vice Chair Dwight Y. Takamine  
State Capitol  
Honolulu, Hawaii 96813

Re: Governor's Message 119: Intermediate Court of Appeals, Associate Judge,  
Gubernatorial Nominee, LAWRENCE M. REIFURTH

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

I am writing to you in strong support of the nomination of Lawrence M. Reifurth, Esq. as  
an Associate Judge on the Intermediate Court of Appeals ("ICA").

I have known Larry since 2004. We worked together as part of the Lingle  
Administration, where he served as Deputy Director of the Department of Commerce and  
Consumer Affairs and I was a policy analyst serving on the Governor's staff. During all of my  
dealings with him, Larry impressed me as extremely bright, honest, and engaging.

Larry also has an incredible work ethic. During the year I worked with him, DCCA had  
the largest legislative package of any department in the Governor's Administration. Seemingly,  
I could always reach Larry in the office regardless of the time of morning or evening to discuss  
any of these proposals. The development and refinement of these proposals required an  
enormous amount of work for Larry. He was superlative.

Larry has the right blend of temperament, thoughtfulness, and intelligence to handle the  
issues that come before the ICA. He has always impressed me as someone who makes decisions  
in a fair and deliberative manner. Having clerked at the ICA in 1996, I understand the kind of  
work ethic, ability, and commitment required of ICA judges. Larry unquestionably possesses the  
qualities necessary to be an outstanding ICA judge.

I respectfully ask you to confirm Mr. Reifurth's nomination.

Respectfully submitted,

*Mark G. Valencia*  
Mark G. Valencia

---

**From:** Terry Thomason [TThomason@ahfi.com]  
**Sent:** Wednesday, January 20, 2010 2:55 PM  
**To:** JGO Testimony  
**Subject:** Testimony In Support of Lawrence Reifurth; GM 119; Jan 29, 2010 @ 9:30 a.m.

Dear Senators Taniguchi and Takamine:

I offer the following as my unreserved testimony in support of Lawrence Reifurth's nomination to be a judge on the Hawai`i Intermediate Court of Appeals.

Mr. Reifurth has all the qualities needed to be an excellent appellate court judge. He is highly intelligent, thoughtful, and patient with people. Throughout his years of public service, he has proven himself to be scrupulously fair to others and willing to consider all sides of any controversy. Mr. Reifurth will perform the duties of appellate court judge with distinction.

Please accept my testimony in full support of Mr. Reifurth's nomination. I urge the Senate to approve and confirm Mr. Reifurth as the newest judge on the Intermediate Court of Appeals.

Thank you.

Terry E. Thomason  
Kaneohe, Hawai`i

PRICE  
OKAMOTO  
HIMENO  
& LUM

Attorneys at Law  
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Kenneth T. Okamoto  
Sharon R. Himeno  
Bettina W. J. Lum  
Terence S. Yamamoto  
Robert M. Kohn

---

Counsel

Robert A. Marks  
Rick J. Eichor

January 20, 2010

The Honorable Brian T. Taniguchi  
and Members  
Committee on Judiciary and Government Operations  
State Capitol  
Honolulu, Hawaii 96813

Re: Confirmation of Lawrence M. Reifurth as Associate Judge of the  
Intermediate Court of Appeals

Hearing: January 29, 2010 at 9:30 a.m.

Dear Chair Taniguchi and Members:

I write in strong support of the confirmation of Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals.

In early 1989, several years before I became Hawaii Attorney General (September 1992 – January 1995), I was a division supervisor at the Department of the Attorney General. It was then that I offered Larry his first job in Hawaii. The assignment – representing the Consumer Advocate in proceedings before the Hawaii Public Utilities Commission – is demanding and highly technical. He excelled in the assignment, mastering the complexities of utilities and utility regulation very quickly.

Larry's assignment required him to work on many utilities appeals. His work was consistently excellent. His great talents were making the arcane issues in these cases understandable, and presenting his client's position persuasively. He did this with clear writing and clear thinking.

Being well acquainted with his abilities, in 1992, I asked Larry to supervise the Attorney General's newly formed Education Unit. Again, he discharged his duties with great skill. Larry's talent was apparently visible to all observers, and shortly thereafter, Governor Waihee snagged him away from the Department of the Attorney General to make him Insurance Commissioner.

I was pleased that Governor Lingle put Larry's skills to work in successive cabinet-level posts at the Department of Commerce and Consumer Affairs.

Honorable Brian T. Taniguchi and  
Members  
January 20, 2010  
Page 2

Larry has exactly "the right stuff" to be an appellate judge. He is fair, thoughtful, scrupulously honest, non-partisan, a clear thinker, and an excellent writer. I strongly encourage you to confirm his appointment.

Very truly yours,



Robert A. Marks

c: Hon. Lawrence M. Reifurth

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Terence S. Yamamoto  
Robert M. Kohn

Of Counsel

Robert A. Marks  
Rick J. Eichor

January 21, 2010

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

Re: Confirmation of Lawrence M. Reifurth as Associate Judge of the  
Intermediate Court of Appeals  
Hearing: January 29, 2010 at 9:30 a.m.

Dear Chair Taniguchi and Members:

I write to add my unqualified support for the confirmation of Larry Reifurth as an Associate Judge of the ICA.

I first met Larry when we worked together at the AG's office where he handled matters before the PUC as well as various federal agencies. His work in that capacity was exemplary.

After I left the AG's office in 1992, I continued to have contact with Larry both in his role as Insurance Commissioner and then when he returned to private practice. Again, his work was always exemplary.

Although Larry has not actively practiced law for the last few years because of his return to public service at DCCA, Larry has all the skills and the temperament to be an excellent appellate judge. He is extremely bright, well versed in the law, thoughtful, and a really good guy. Larry will truly be a credit to the judiciary and to Hawaii as a member of the ICA.

If you have any further questions about Larry, please feel free to call me.

Very truly yours,  
PRICE OKAMOTO HIMENO & LUM



Warren Price, III

January 21, 2010



Senator Brian Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair  
Committee on Judiciary and Government Affairs  
State Capitol, Room 016  
Honolulu, HI 96813

**RE: GM119 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years.**

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

I have known Larry Reifurth for twenty years, and for most of that time he has been an attorney working for the state of Hawaii, either as a Deputy Attorney General, Insurance Commissioner, or Deputy Director, and Director of the Department of Commerce and Consumer Affairs. He has been appointed to positions of great responsibility by both Democratic and Republican Governors and he has delivered a very high quality of service in all of those positions.

As evidenced by the products of his labor in government service to Hawaii, he is an honest, hard working, even handed, well rounded, well grounded individual with excellent legal skills who gets the job done quietly, efficiently, and well.

He is not flamboyant or overbearing. Should he be confirmed to a seat on the bench, as he ought to be, I believe we will all see the steady, hardworking, workmanlike effort and product that he has delivered for Hawaii throughout his long career in government service so far.

Larry will make an excellent judge. I have served with him as a member of a government board and can tell you without any equivocation that he is all those adjectives I have used above and he is also articulate, always prepared, and makes excellent judgments based on facts and law.

One other thing that a judge ought to be is a good person; have good habits and high morals. And, again, Larry Reifurth scores high in those categories.

I strongly recommend him for Associate Judge to the Intermediate Court of Appeals.

Sincerely,

John H. Radcliffe  
President

John S.S. Kim  
3155 Alani Drive  
Honolulu, Hawaii 96822-1402

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
Senator Brian T. Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair

January 21, 2010

Senators Taniguchi and Takamine and members of the committee,

I consider it a rare privilege to personally recommend an exceptional individual, LAWRENCE M. REIFURTH, for confirmation as an Associate Judge, Intermediate Court of Appeals (ICA). While I am currently the Chairman of the Manoa Neighborhood Board, this recommendation has to be from me as individual since the Board will not meet again until early February. However, I am confident the Board would have formally recommend Larry for this appointment if the timing had been better. He is held in very high esteem, and I am sure that Senator Taniguchi, who also regularly attends our meetings, has witnessed the support that Larry has given to Manoa.

I have worked with Larry since I joined the Manoa Board almost 3 years ago. Prior to that, I observed his support of our residents when I attended meetings. My first impression of him has lasted and been reinforced over the past few years. He initially appeared to be honest, straight-forward, and always tried his best to help the community. Although he came to the Board meetings as the Governor's representative, he remained amazingly apolitical in his relationship to us. My closer working relationship with him has only enhanced that initial opinion.

In addition, Larry has frequently gone out of his way to bring "experts" to our meetings to help us understand issues and how the State could/would help us resolve them. The most recent example occurred at the end of last year. Many of our residents were concerned about the disruptive behavior of some residents of the Hale Kipa Transitional Home in Manoa. Larry realized that these concerns would be discussed at our December meeting and voluntarily arranged for a representative from the State Department of Health who works with that program to attend the meeting, contribute his insight into the problem, answer questions, and to take our community's concerns to his department. While the problems have not yet been completely solved, Larry's initiative has gone a long way in improving our understanding of the situation.

I could go on, but the real purpose of this recommendation is to encourage you to quickly confirm Larry Reifurth as an ICA judge. He has impressed me with his logical thinking, concern for the people, and, perhaps most importantly, his integrity and commitment to "doing things the right way." He will make an outstanding judge, and I strongly encourage you to give him the opportunity to serve the people of Hawaii in this new capacity.

Please feel free to contact me if you have questions or require more information.

JOHN S.S. KIM  
808-988-3349  
jssk3155@gmail.com

KRIS N. NAKAGAWA  
1604 Ruth Place  
Honolulu, Hawaii 96716

January 22, 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: GM No. 119 - Lawrence M. Reifurth, Gubernatorial Nominee As Intermediate Court of Appeals, Associate Judge, For Term of Ten Years; Hearing on January 29, 2010 at 9:30 a.m.

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

Thank you for the opportunity to testify on GM No. 119. I strongly support the appointment of Lawrence M. Reifurth as Associate Judge for the Intermediate Court of Appeals ("ICA").

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. Reifurth when I was employed as counsel for the Hawaii Public Utilities Commission ("Commission") in the early 2000s. At that time, Mr. Reifurth was practicing, among other things, public utility law and often appeared at the Commission. In sum, I believe Mr. Reifurth has the necessary judicial temperament and administrative skills, and the requisite knowledge and experience to perform the duties required and expected of an Associate Judge for ICA. His knowledge and experience in public utility law, administrative law, real estate, and commercial litigation from both a public and private perspective will definitely be useful in his role as an appellate judge. Accordingly, I believe Mr. Reifurth 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. Reifurth as Associate Judge for ICA.

Sincerely,



Kris N. Nakagawa

# CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

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OUR REFERENCE NO.:  
000901-00030

January 22, 2010

Honorable Brian T. Taniguchi  
Chair, Committee on Judiciary  
and Governmental Operations  
State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: Nomination of Lawrence M. Reifurth as an Associate Judge,  
Intermediate Court of Appeals GM 119

Dear Senator Taniguchi and Members of the Senate:

I am writing to you in support of the confirmation of Lawrence M. Reifurth as an Associate Judge of the Intermediate Court of Appeals. Larry is an experienced and hard working attorney who I know will serve in that position with the dedication and sense of fairness that he displayed in his many years in private law practice in the State of Hawaii.

I have practiced law in Hawaii since returning home from law school over 36 years ago. One of the areas that I have emphasized in my practice is public utility law where I first met Larry who also practiced in that area for a number of years prior to entering government service. During those years I found Larry to be knowledgeable in public utilities law, reasonable in working through complex legal matters with opposing counsel and willing to share his experience with other practitioners. While he and I were oftentimes representing parties who were opposite sides of a case, I always found him to be a fair advocate for his client who did not let ego get in the way of resolving disputes. In addition to his many years of government service, he has also contributed to the community through his work with the Aloha United Way and the Special Olympics. Larry has a sense of humor, works well with others and will be a collegial and hardworking addition to the Intermediate Court of Appeals.

Honorable Brian T. Taniguchi  
January 22, 2010  
Page 2

Thank you for your consideration of my comments in support of his nomination and please feel to call me at 523-2525 if I can provide you with any further information regarding this nominee.

Sincerely,

  
Robert E. Strand

RES/lhm

4832-6872-7813.1.000901-00030

January 22, 2010

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

THE HONORABLE BRIAN T. TANIGUCHI, CHAIR

THE HONORABLE DWIGHT Y. TAKAMINE, VICE CHAIR

GUBERNATORIAL NOMINEE LAWRENCE M. REIFURTH SUBMITTED FOR  
CONSIDERATION AND CONFIRMATION AS  
ASSOCIATE JUDGE, INTERMEDIATE COURT OF APPEALS

**Governor's Message 119**

I am writing to express my strong support of Lawrence M. Reifurth's appointment as Associate Judge of the Intermediate Court of Appeals. As a Commissioner on the Public Utilities Commission, I have worked with Larry on many energy and telecommunication issues over the course of the past three years and feel qualified to comment on Larry's qualifications to serve as an Associate Judge on the Intermediate Court of Appeals.

I have found Larry to be a very smart and capable Director of the Department of Commerce and Consumer Affairs. He is thoughtful, able to quickly understand and untangle complex regulatory and legal issues, and professional. I also know Larry to be fair, grounded and personable. With his intelligence, skills and personality, I have no doubt that he will respect and have the respect of the other judges, judiciary staff and those who appear before the Intermediate Court of Appeals.

In summary, without any qualification, I support Larry's appointment. I strongly believe that Larry will be an excellent appellate court judge. I urge you to confirm his appointment as Associate Judge on the Intermediate Court of Appeals.

If I can answer any questions or offer any further information about Larry, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'L. Kondo', with a large, sweeping flourish at the end.

Leslie H. Kondo

TESTIMONY OF JAMES NAGLE  
55 S. Judd St. # 1507  
Honolulu, Hawaii 96817

COMMITTEE ON JUDICIARY AND  
GOVERNMENT OPERATIONS

Date: Friday, January 29, 2010  
Time: 9:30 a.m.  
Place: Conference Room 16  
State Capitol  
415 South Beretania Street

Re: GM 119 Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years.

Written Testimony Only

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Chair Taniguchi and Members of the Committee:

I enthusiastically support the confirmation of Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals.

I have known Larry since the early 1990s, when he was a Deputy Attorney General representing the Department of Commerce and Consumer Affairs ("DCCA") in matters involving the Public Utilities Commission. I also have observed him during his tenure as Insurance Commissioner and as both the Deputy Director and Director of DCCA. During his latter positions, I have had the opportunity to work closely with him on a number of legal matters.

Larry has a keen intellect and working with him has been a pleasure. He is analytical, disciplined, hard-working, and good at problem-solving. Larry has been open to listen to opposing points of view. He is one of the most honorable and trustworthy people that I know.

I believe that Larry possesses the requisite judicial demeanor. He is neither impulsive nor quick to anger. I can state that his decisions in the past have been the result of calm, dispassionate, rational review and reasoned analysis. I believe that, if confirmed, he would prove to be an invaluable asset to the Judiciary.

I believe that Larry clearly possesses the requisite intellect, ability, knowledge, and insight to handle the job as Associate Judge of the Intermediate Court of Appeals. I fully recommend him to you for confirmation as the Associate Judge of the Intermediate Court of Appeals.



January 23, 2010

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

**RE: GM119** Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years.

Aloha Chair Taniguchi, Vice-Chair Takamine, and Members of the Committee:

I am writing this letter in Support of Lawrence M. Reifurth as a nominee for the position of Associate Judge, Intermediate Court of Appeals.

I have known Larry for about 20 years. In that time my experiences with him have been extremely positive. He is a tremendous individual who has given so much to the public through his many years of service and his given back to our community as a volunteer. Under Lawrence's leadership, DCCA has continued to be in my opinion the best state agency, providing the public with the highest level of service for our money.

As a judge Larry will represent the public with the same high standards and fairness he has exhibited his entire career. His resume' speaks for itself. He definitely has the training, experience and track record to serve the public as an Associate Judge on the Intermediate Court of Appeals. In my opinion you could not find a finer person for this position.

I am writing the letter of support for Lawrence Reifurth as an individual and do not speak for any of my industry organizations or that of any of the non-profits or community groups that I hold positions of leadership.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Randy L. Prothero".

Randy L. Prothero, REALTOR®  
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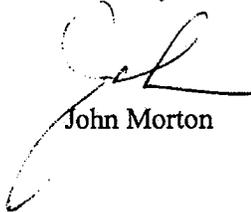
January 25, 2010

TESTIMONY IN SUPPORT OF THE NOMINATION OF  
LARRY REIFURTH  
AS A JUDGE ON THE INTERMEDIATE COURT OF APPEALS  
GM 119

Chair Taniguchi, Vice-Chair Takamine, and Members of the Committee

I wish to express my support for the nomination of Larry Reifurth as a judge on the Intermediate Court of Appeals. I have known Larry both personally and professionally for several years and believe that he is an excellent choice to fill the vacated seat on the ICA. His work as a Deputy Attorney General, Insurance Commissioner, and Director of the Department of Commerce and Consumer Affairs provide a rich experience base for the position. More importantly, I believe that his temperament, integrity, and reasoned approach to problem solving are well suited to the role of judge and I believe he will serve the people of Hawai'i with distinction should he be approved for this appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "John Morton", with a long, sweeping flourish extending downwards and to the left.

John Morton

Melissa T. Pavlicek  
c/o 841 Bishop Street, Suite 2100  
Honolulu, Hawaii 96813  
(808) 447-1841

January 25, 2010

Chair, Senator Brian T. Taniguchi  
Vice-Chair, Senator Dwight Y. Takamine  
Members of the Senate Committee Judiciary and Government Operations

**Re: GM 119: Consideration and Confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a Term of Ten (10) Years.**

Ladies and Gentlemen:

My name is Melissa Pavlicek and I am an attorney and small business owner. I am writing to express my support for Lawrence M. Reifurth's nomination to serve on the state's Intermediate Court of Appeals.

I have known Mr. Reifurth for more than ten years, first working together at the law firm of Oshima, Chun, Fong & Chung. I have personally observed over the course of many years that he has many of the qualities that are essential to members of our state's judiciary: intelligence, compassion, dedication and a temperament that is well suited to the courts. In my current role as an advocate for non-profit and business organizations, I have always been encouraged by his practical, efficient operations at the Department of Commerce & Consumer Affairs. He is approachable and welcomes feedback and it has been my great pleasure to have opportunities to work with him. I have also served as the chair of the Hawaii State Bar Association's Diversity Committee and as a president of Hawaii Women Lawyers. In my opinion, Mr. Reifurth has always been supportive and encouraging of diverse members of the legal community.

Please confirm Mr. Reifurth's nomination.

D.B. GRIFFIN III  
2979 Kalakaua Avenue  
Honolulu, Hawaii 96815  
808 478-8780

TO THE  
SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

Friday, January 29, 2010  
9:30 A.M.

TESTIMONY ON GM 119 RELATING TO LAWRENCE M. REIFURTH FOR THE  
POSITION OF ASSOCIATE JUDGE, INTERMEDIATE COURT OF APPEALS

My name is Nick Griffin. I strongly support the nomination of Lawrence M. Reifurth for the position of Associate Judge, Intermediate Court of Appeals, and ask this Committee to recommend his confirmation to the full Senate.

I first met Larry Reifurth in 2003 when he interviewed me for a job with the Department of Commerce and Consumer Affairs and have subsequently worked with him at DCCA over the past six and one half years. I have seen him display the many skills and attributes he brings to any process in which he is involved - he can be counted on to "be there" when a critical decision is necessary.

Larry uses a very effective leadership style. He outlines his objectives, obtains your input and agrees on a common goal. He then becomes an excellent manager, encouraging you to continue forward, periodically checking to see if the goal is still appropriate and reachable, and finally acknowledging successful completion with congratulations, or working positively with you to recalibrate if the goal has not been achieved. His leadership style is very collaborative, inspirational and effective.

Larry is always willing to thoroughly examine all sides of an issue. He ensures that he has every available aspect fully reviewed before proceeding with a decision. He stimulates discussion and provides due consideration for multiple inputs. Your opinions always get a fair and full hearing, and he ensures that you understand his position as well.

After weighing the issues, Larry's decisions are prompt – the instructions are clear and the delivery crisp, yet complete. You know where you stand, and proceed from there. He is always forthright, fair, compassionate when appropriate and, above all, honest in all respects. I would be honored to work for him any time.

Larry Reifurth will be an outstanding Associated Judge of the Intermediate Court of Appeals. I am proud to strongly support his nomination and would ask the Committee to do the same.

Thank you.

**Corlis J. Chang**  
932 8<sup>th</sup> Avenue, Unit A  
Honolulu, Hawai'i 96816

Phone: (808) 547-5677

cchang@goodsill.com

January 25, 2010

**Via email: JGOTestimony@Capitol.hawaii.gov**

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

Re: GM 119 Submission of Testimony for consideration and  
confirmation to the Intermediate Court of Appeals, Associate  
Judge, Gubernatorial Nominee LAWRENCE M. REIFURTH

Date: Friday, January 29, 2010

Time: 9:30 a.m.

Conference Room 16 – State Capitol

Dear Senator Taniguchi and members of the Committee:

I am honored to submit this testimony on behalf of my colleague and close friend Lawrence M. Reifurth for confirmation to the Intermediate Court of Appeals. I have known Larry since 1979 when we were first year law students together at Northwestern University School of Law and we have been the closest of friends ever since. I believe I have known Larry longer than anyone else in Hawai'i and can speak from first hand experience about his knowledge, intellect, fairness and integrity.

Insofar as Larry's competence as a professional is concerned, he has had many dealings with attorneys from my firm, Goodsill Anderson Quinn & Stifel LLP. Everyone who has dealt with him in any of his capacities, whether as a private attorney, Deputy Attorney General, Insurance Commissioner or head of the Department of Commerce and Consumer Affairs has been impressed with his competence and fairness. As I am sure you will be receiving testimony from so many other people regarding his professional capabilities, I would like to focus upon giving you insight into the other aspects of Larry's character which make him the perfect candidate for Associate Judge of the Intermediate Court of Appeals.

First of all, Larry is smart. When we were students at Northwestern, Larry's intelligence and ability to absorb information *with one reading* was immediately apparent. He could readily analyze the subtle distinctions in the case law. With his excellent writing and analytical skills, it was no surprise that Larry was invited to join Law Review. Larry also

received his joint Masters in Business Administration from the prestigious Kellogg School of Management, receiving both degrees in 4 years with honors.

Larry met and married a fellow Northwestern Law School Alum and “local girl” Mei Nakamoto, Esq. and moved to Hawai‘i in 1989. Although Larry could have remained in lucrative private practice, having had excellent experience at private firms in Northern California and Hawai‘i, Larry chose to be of service to the people of Hawai‘i serving as a Deputy Attorney General, Insurance Commissioner, First Deputy and then head of the Department of Commerce and Consumer Affairs, serving with distinction in each office. Of particular note is that Larry was appointed by a Democratic Governor and Republican Governor for those various positions. This attests to the fact that Larry’s fairness and abilities transcend politics.

On a personal level, Larry and his family have been close family friends. I have observed his patience and caring with his own family and with my own son. As a single mother, I have so appreciated the solid role model he provides as a loving spouse and father. I admire (and am occasionally frustrated by) his complete honesty—telling you what you need to hear and not merely what you want to hear.

Larry’s commitment to the community is evident in his participation in Special Olympics and as a swim official, even though his own children have long passed participating in the sport.

As a person of intelligence, trust, fairness, honesty and integrity, I can think of no better person to be serving in the capacity of Judge of the Intermediate Court of Appeals. He is above reproach and dedicated to his work. I am certain he will serve honorably as a judge of the ICA. My only regret if he is appointed is that he would have to recuse himself if I appeared before him!

I would be happy to discuss Larry’s appointment with any member of the community and invite any of you *at any time* to call me at 547-5677.

Sincerely,

A handwritten signature in black ink, appearing to read "Corlis J. Chang". The signature is fluid and cursive, with the first name "Corlis" being the most prominent part.

Corlis J. Chang

January 25, 2010

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

Re: Governor's Message GM119

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

It is an honor and privilege to submit comments in strong support of the confirmation of Director Lawrence M. Reifurth as an Associate Judge to the Intermediate Court of Appeals.

As past chair and current Manoa Neighborhood Board member, I have known Director Reifurth for more than six years. He consistently does an outstanding job representing the Governor's office at our Manoa Neighborhood Board meeting each month. He serves diligently and is always well prepared when giving the Governor's report. In addition, Director Reifurth is very thorough when delivering answers to questions asked at the previous month's meeting. He is very patient and conscious of peoples' expectations and emotions when it comes to answering difficult questions and concerns that arise unexpectedly at our neighborhood board meetings. He shows great patience and understanding and turns difficult and often uncomfortable situations into amicable ones.

In addition to my relationship with Director Reifurth at my neighborhood board meetings, I have also worked with him professionally on issues relating to the Department of Commerce and Consumer Affairs. He is a conscientious public servant, unwavering in his efforts to serve in the highest capacity with honesty and sincere commitment.

As a Member on the Intermediate Court of Appeals, Director Reifurth will bring integrity, trust and a distinct and positive character into an area where difficult and often emotional distress is prevalent. With the persona in which Director Reifurth carries himself, he will be an invaluable asset to all that come before him.

As one who leads by example, Director Reifurth will serve the Intermediate Court of Appeals with great respect and the admiration it and its Members rightfully deserve. I respectfully and wholeheartedly ask for you to confirm Director Lawrence M. Reifurth for the position of Associate Judge, Intermediate Court of Appeals.

Sincerely,



Nadine N. Nishioka

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**From:** David K. Rair [DRair@chunrair.com]  
**Sent:** Monday, January 25, 2010 4:46 PM  
**To:** JGO Testimony  
**Subject:** Testimony for Hearing on GM119-Friday, January 29, 2010, 9:30 A.M.

Dear Senators Taniguchi and Takamine:

Please accept this e-mail message as my testimony of unqualified support of your confirmation of Lawrence M. Reifurth's nomination as Associate Justice of the Intermediate Court of Appeals. I have known Mr. Reifurth for approximately sixteen years beginning with his employment with the law firm of Oshima Chun Fong & Chung ("OCFC") and continuing during his tenure as Deputy Director and Director of the Department of Commerce and Consumer Affairs ("DCCA"). While employed at OCFC, Mr. Reifurth was respected and well liked by the staff and attorneys and was admired and respected for his legal abilities. Although I am not a litigator, I had the privilege of working with Mr. Reifurth on a number of consumer credit cases in which I assisted Mr. Reifurth with the complexities of the consumer protection laws. Mr. Reifurth had an outstanding ability to quickly understand the various consumer laws and regulations that applied to a case and always communicated his analysis and recommendations to the clients effectively. I also had the pleasure of working with Mr. Reifurth on a variety of regulatory matters and his knowledge and expertise was always outstanding.

While Mr. Reifurth was a Deputy Director and Director of the DCCA, I had the pleasure of working with Mr. Reifurth and his staff in my representation of clients that were regulated by the DCCA. In every instance, Mr. Reifurth always treated my clients fairly and respectfully even when my clients' views varied with those of the DCCA staff. In addition, during Mr. Reifurth's tenure at the DCCA, I have noticed a remarkable increase in efficiency and responsiveness of the staff to the needs of the businesses that are regulated by the DCCA.

I am very pleased that Governor Lingle has nominated Mr. Reifurth for Associate Justice of the ICA and I believe he will serve as an Associate Justice with dedication, fairness and sensibility. Therefore, I respectfully request that you confirm Governor Lingle's nomination of Mr. Reifurth. If you have any questions of me with respect to this testimony, please feel free to contact me. Thank you for your time and consideration of my testimony.

Respectfully Submitted,

David K. Rair ([drair@chunrair.com](mailto:drair@chunrair.com))  
Chun Rair & Yoshimoto LLP  
1000 Bishop Street, Suite 1000  
Honolulu, Hawaii 96813  
Telephone: (808) 528-4200  
Facsimile: (808) 531-8466

TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

FRIDAY, JANUARY 29, 2010  
9:30 A.M.

WRITTEN ONLY

TESTIMONY OF CATHERINE P. AWAKUNI TO THE HONORABLE SENATOR BRIAN  
TANIGUCHI, CHAIR, AND MEMBERS OF THE COMMITTEE

GOVERNOR'S MESSAGE NO. 119 - Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years.

It is my pleasure to write and express my personal support for Lawrence M. Reifurth, gubernatorial nominee to the Intermediate Court of Appeals. From September 2006 through December 2009, I had the good fortune of working for and with Mr. Reifurth at the Department of Commerce and Consumer Affairs ("DCCA") as the State's Consumer Advocate. As a result of my experience working with Mr. Reifurth, I feel he would make an excellent Associate Judge for the people of Hawaii. Accordingly, I ask that you confirm the Governor's nomination of Mr. Reifurth.

To be a successful jurist, judges must possess noteworthy skills as a writer, mediator, collaborator, leader or organizer of people, and decision-maker. In addition, judges must possess great integrity and moral courage, wisdom, fairness, and compassion. Mr. Reifurth's varied experience as an attorney and an administrator has polished his skills as an excellent writer, collaborator, leader, and decision-maker in preparation for this next, important role for which he has been nominated. I witnessed Mr. Reifurth's demonstration of great dedication to the consumers of Hawaii and to the employees of DCCA through his service as the Deputy Director and then as Director of DCCA. In working with Mr. Reifurth, I have always found him to be compassionate, fair, open-minded, and respectful in his dealings with others. Moreover, his calm demeanor, fine wit, and commitment to justice are all qualities that will make him an exceptional judge.

For all of these reasons, I urge you to confirm the nomination of Mr. Reifurth. Thank you for the opportunity to testify.

TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT  
OPERATIONS  
TWENTY-FIFTH STATE LEGISLATURE  
REGULAR SESSION 2010

Friday, January 29, 2010  
9:30 a.m.  
Conference Room 016

TESTIMONY ON GM 119—RELATING TO LAWRENCE REIFURTH

THE HONORABLE BRIAN TANIGUCHI, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

My name is Stephen Levins.

It gives me great pleasure to write to you in support of the candidacy of Lawrence Reifurth for the position of Judge of the Hawaii Intermediate Court of Appeals. I do not believe that you could find a more qualified individual.

I have known Mr. Reifurth since he first became the Deputy Director of the Department of Commerce and Consumer Affairs (DCCA) in 2003, where I have had the privilege of serving under his leadership. As the executive director of the Office of Consumer Protection I have interacted with Mr. Reifurth on almost a daily basis for the past six and a half years. During that time, I have found him to be hard working, fair, insightful, smart, honest, courageous, and deliberative. It has truly been a pleasure to work with such a talented person.

In my view, one of Mr. Reifurth's most outstanding characteristics is his superior intellect and his ability to quickly grasp the essence of complex matters. As I am sure that you are already aware, Mr. Reifurth's broad legal experience would make him a valuable asset to the Court.

Mr. Reifurth is a keen observer of human nature. Although he has stellar academic credentials, he does not inhabit an intellectual ivory tower removed from the "real world". He is neither dogmatic nor an ideologue. He is a "straight shooter" and has no "hidden agendas". I can not imagine anyone encountering Mr. Reifurth on the bench feeling otherwise.

As an attorney, it would be an honor to have the opportunity to appear before him. The people of Hawaii would be well served to have such a distinguished person grace the bench of our Intermediate Court of Appeals.

Thank you for this opportunity to testify in strong support of the Judicial Nomination of Lawrence Reifurth. I will be happy to answer any questions that the committee members may have.

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**From:** Janel M. Yoshimoto [JYoshimoto@chunrair.com]  
**Sent:** Tuesday, January 26, 2010 1:45 PM  
**To:** JGO Testimony  
**Subject:** GM 119 - Submitting for Consideration and Confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years; Firday, January 29, 2010; 9:30 a.m.

To: Committee on Judiciary and Government Operations

Re: Hearing on Friday, January 29, 2010 at 9:30 a.m.; Submitting for Consideration and Confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH, for a Term of Ten Years.

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

Please accept this email message as my testimony in whole-hearted support of your confirmation of Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals ("ICA"). I have known Mr. Reifurth for the past eleven years, beginning with my joining the law firm of Oshima Chun Fong & Chung ("OCFC") as an associate attorney. Mr. Reifurth's generosity and patience in teaching and imparting legal and practical knowledge to me and other attorneys just starting our legal careers are qualities that I will always appreciate and respect in Mr. Reifurth. He was truly admired and respected by the staff and attorneys in our firm.

Having had the privilege to work with Mr. Reifurth for almost five years while at OCFC and having been a law clerk for a former Associate Judge of the ICA, I believe Mr. Reifurth possesses the essential qualities for such a honored and powerful position. I was fortunate as a new attorney to work with Mr. Reifurth on matters that demonstrated his outstanding ability to research and analyze complex legal issues, formulate the best means of communicating his analysis and conclusion and then execute on his strategy in an efficient, sensible and compelling manner for his client. He is a person that thinks about the practical affect the law has on the lives of those involved and has the wisdom to see "the forest for the trees." Further, I have observed countless times where Mr. Reifurth has been respectful, cordial and fair to those he has encountered both professionally and socially, even when others may not act with the same civility. As a result, Mr. Reifurth earns the respect and trust of his counterparts and clients and it is well-deserved.

I am extremely pleased that Governor Lingle has nominated Mr. Reifurth to be an Associate Judge of the ICA. He will serve our great State with dedication, fairness and sensibility. Accordingly, I respectfully ask that you confirm Governor Lingle's nomination of Mr. Reifurth. If you have any questions of me with respect to my testimony, please feel free to contact me. Thank you for your time and consideration.

Respectfully,

Janel M. Yoshimoto  
CHUN RAIR & YOSHIMOTO LLP  
1000 Bishop Street, Suite 1000  
Honolulu, Hawaii 96813  
Telephone: (808) 528-4200 main; 539-0618 direct  
Facsimile: (808) 531-8466  
[jyoshimoto@chunrair.com](mailto:jyoshimoto@chunrair.com)

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**From:** Guy P. Ontai [ontai@alakai.us]  
**Sent:** Tuesday, January 26, 2010 2:11 PM  
**To:** JGO Testimony  
**Subject:** Testimony on behalf of Lawrence Reifurth  
**Attachments:** image001.gif; image002.gif

Aloha Chairman Taniguchi and members of the Committee on Judiciary and Government Operations,

I strongly support the nomination of Lawrence M. Reifurth as an Associate Judge on the Intermediate Court of Appeals.

I have known Mr. Reifurth for over 17 years now, initially through our involvement with the Hawaii Chess Federation. He has served as the President and Treasurer of the Hawaii Chess Federation. We have since become well acquainted over the years through our work with scholastic chess in Hawaii.

I have always been impressed with his calm and professional demeanor. Larry is an unflappable, composed gentleman of the highest caliber. Soft-spoken, but direct, he always exudes a quiet, respectable dignity. Therefore, I firmly believe that he possesses the best qualities expected of a judge and will serve the State of Hawaii admirably and honorably. While serving in the State Legislature myself, I recall that Mr. Reifurth enjoyed an excellent reputation for fairness and keen judgment while serving as Deputy, then Director of the Department of Commerce and Consumer Affairs.

Mr. Reifurth's experience in both the private and public sector enables perspectives that allow him to serve Hawaii well. His extensive education and practical experience provides for a great foundation for a judge.

I recommend Mr. Reifurth without reservation.

Sincerely,

Guy P. Ontai, P.E.  
President & CEO  
Alakai Consulting & Engineering, Inc.  
Manoa Innovation Center  
2800 Woodlawn Drive  
Suite #193  
Honolulu, Hawaii 96822  
Office: (808)469-4271  
Mobile: (808)371-2145  
Fax: (808)627-1421  
[www.alakai.us](http://www.alakai.us)

TESTIMONY FOR GOVERNOR'S MESSAGE 119  
Confirmation Hearing for Lawrence E. Reifurth  
Nominee to the Intermediate Court of Appeals - Associate Judge

To the Honorable Brian T. Taniguchi, Chair  
To the Honorable Dwight Y. Takamine, Vice Chair  
and Members of the Committee on Judiciary and Government Operations:

My name is Celia Suzuki and this testimony is submitted in strong support of Lawrence E. Reifurth's nomination to the Intermediate Court of Appeals.

I have known Larry for many years and in the past seven, have had the privilege of working directly with him at the Department of Commerce and Consumer Affairs. First, as the Deputy Director, and then as the Director, Larry has consistently demonstrated that he is honest and forthright. These are important character attributes that will serve him well as an appellate judge. It is without a doubt that Larry will review each case that comes before him in the manner that is most deserving, that is, with fairness, impartiality, and the proper application of law. His intelligence, diligence, even-temperedness, and thoughtfulness are also strong Reifurth traits. Larry is also an excellent listener and a very good problem solver.

The State of Hawaii, the Judiciary, and ultimately, the people of the State will be the true beneficiaries of Larry's contributions. Thank you for allowing me the opportunity to submit testimony in support of a very worthy candidate.

Submitted by Celia Suzuki  
775 Kinalau Place, #209  
Honolulu, HI 96813  
(808)542-6233

Testimony before the  
**Senate Committee on Judiciary and Government Operations**

Friday, January 29, 2010  
9:30 a.m., Conference Room 016

**Statement on Governor's Message No. 119**

by Robert A. Alm  
Executive Vice President  
Hawaiian Electric Company, Inc.

TO THE HONORABLE BRIAN TANIGUCHI, CHAIR, DWIGHT TAKAMINE, VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

It is my pleasure to support the confirmation of Lawrence Reifurth as an Associate Judge of the Intermediate Court of Appeals. Larry Reifurth has a long and distinguished career in both public and private sectors and as a result of these experiences will make an excellent appellate judge.

I have known Larry for over twenty years beginning with his days as a Deputy Attorney General advising the Department of Commerce and Consumer Affairs when I was its Director. Larry's legal acumen and skill were clear in his handling of the complex issues we faced in the consumer advocate's office. Larry also served as Insurance Commissioner in a subsequent administration before returning to the private practice of law.

After a decade of private practice in commercial and regulatory law, Larry returned to the public sector in 2003, first as Deputy Director and then as Director of Commerce and Consumer Affairs. I have had an opportunity to work with him

in both capacities and because of my history with the Department, have heard a good deal about his work in both roles.

Larry Reifurth is a "straight forward, no games" leader. He handles his role in a low key and still very firm manner. He listens well and to all points of view. He does not rush to decision and he has also not shied away from difficult or controversial decisions. In short, he has demonstrated what I would consider "judicial temperament."

I would strongly urge your positive consideration of his nomination.

# STEVEN CHUNG AND ASSOCIATES

ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW COMPANY

January 26, 2010

Via Electronic Mail

Senator Brian T. Taniguchi, Chair  
Committee on Judiciary and Government Operations  
State Capitol  
415 Beretania Street  
Honolulu, Hawai'i 96813  
[JGOTestimony@Capitol.hawaii.gov](mailto:JGOTestimony@Capitol.hawaii.gov)

Re: Lawrence M. Reifurth

Dear Senator Taniguchi:

I am writing to support the confirmation of Lawrence M. Reifurth as an Associate Judge on the Intermediate Court of Appeals.

I have been licensed as an attorney in Hawai'i since 1976 and currently practice in the areas of business, commercial, and real estate litigation. I have known Larry since 1994, when he became associated with Oshima Chun Fong & Chung, where I supervised the firm's litigation section. Having handled a fair number of trials and appeals in both state and federal courts, I am well aware of the experience and qualities that an Associate Judge of the Intermediate Court of Appeals must possess in order to provide excellent service to the people of Hawai'i. I am certain that Larry is not only sufficiently experienced, but possesses all of the necessary qualities, thereby meeting, if not exceeding, all of the requirements of an Associate Judge and, as such, is an outstanding choice for the Intermediate Court of Appeals.

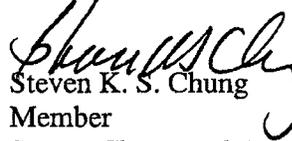
Since I last had the privilege of working with Larry, he has undoubtedly gained invaluable experience in a number of areas. I base my recommendation and comments, however, on my personal knowledge of working with Larry. The matters Larry and I handled together, or in which I had the opportunity of observing his conduct while at Oshima Chun Fong & Chung, include government contracts, public service companies, real estate development and condemnation, civil rights, and truth-in-lending and foreclosure. We have also interacted in other settings, such as firm retreats and social events. Thus, I do not hesitate in stating that I find Larry to be an exceptional member of the legal profession, society, and his family.

Senator Brian T. Tanaguchi, Chair  
January 26, 2010  
Page 2 of 2

Larry has demonstrated through his work that he is diligent, intelligent, articulate, well-versed in law, an excellent writer, and possesses a great deal of common sense. He is passionate about a variety of interests, such as work, family, football, swimming, and chess, to name just a few. Larry has high moral character, a good sense of humor, a level head, and is decisive and fair. Additionally, he has the courage to stand behind his positions and opinions, even if they are not popular. With his insight, wisdom, and broad range of experience, Larry is easily able to see the big picture while, at the same time, understanding the smallest details associated with any matter he handles.

It is without reservation that I support the appointment of Larry as an Associate Judge on the Intermediate Court of Appeals. He will be a superb member of that body and will serve the public well.

Sincerely,



Steven K. S. Chung

Member

Steven Chung and Associates, LLLC

Committee on Judiciary and Government Operations  
The Senate

Written Testimony Only

MEASURE: GM 119, Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee, LAWRENCE M. REIFURTH for a term of ten years.

DATE: Friday, January 29, 2010

TIME: 9:30 am

PLACE: Conference Room 16  
State Capitol  
415 South Beretania Street

The Honorable Brian Taniguchi, Chair, The Honorable Dwight Takamine, Vice Chair, and members of the Committee:

My name is Susan Au Doyle. I am the president of Aloha United Way, but I am testifying in my personal capacity.

I am pleased to offer my testimony in support of the appointment of Mr. Lawrence M. Reifurth as an Associate Judge on the Intermediate Court of Appeals.

Mr. Reifurth is an exemplary man. I believe he is the kind of person that we should have in the judicial system. He has broad experience in the private and government sectors, and has been an active community volunteer. He is a man of compassion and high intelligence.

Mr. Reifurth's experience in state government has been varied. He was appointed by two different governors to executive positions in the Department of Commerce and Consumer Affairs, served as Insurance Commissioner, and as a deputy attorney general. He also was an attorney in private practice for more than 10 years. He holds a degree in law as well as an MBA.

Mr. Reifurth's combination of education, experience, skill and personal qualities will serve the people of the state of Hawaii well on the Intermediate Court of Appeals. I strongly urge the Committee's positive action on his confirmation. Thank you for this opportunity to offer this testimony in support of Mr. Reifurth's appointment.

Ann Ogata-Deal  
368 Elelupe Road  
Honolulu, Hawaii 96821

Senate Committee on Judiciary and Government Operations  
State Capitol, Conference Room 16  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: **GM 119 Considering Confirmation to the Intermediate Court of Appeals,  
Associate Judge, Gubernatorial Nominee, Lawrence M. Reifurth**  
(Hearing on Friday, January 29, 2010 at 9:30 a.m.)

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

I am writing in support of the confirmation of Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals. I am a former Deputy Attorney General of the State of Hawaii (1987-2000). Mr. Reifurth and I worked as deputy attorneys general in the Commerce and Economic Development Division of the Department of the Attorney General during the years from 1989 to 1992.

Mr. Reifurth's office was next door to mine. We did not work directly together on cases, but we discussed the law with colleagues on many occasions. I found Mr. Reifurth to have exceptional analytical skills and extremely good judgment. I understand that the agencies he advised as a deputy attorney general highly valued his legal knowledge and counsel.

Mr. Reifurth subsequently left the Department of the Attorney General, as did I. We, along with a group of colleagues, have kept in touch since our Attorney General days. Throughout that time, I have found Mr. Reifurth to be of the highest character. He has spoken of his commitment to public service for many years, and his record of service clearly reflects that commitment. He is honest, calm, and reasonable, and is known for his good humor.

With Mr. Reifurth, the State of Hawaii will gain an Associate Judge of the highest caliber. I respectfully ask that you confirm the nomination of Lawrence M. Reifurth to the Intermediate Court of Appeals.

Sincerely,



Ann Ogata-Deal

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

TESTIMONY IN SUPPORT OF  
LAWRENCE M. REIFURTH  
GUBERNATORIAL NOMINEE AS INTERMEDIATE COURT OF APPEALS,  
ASSOCIATE JUDGE

DATE: Friday, January 29, 2010

TIME: 9:30 a.m.

PLACE: Conference Room 016

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

I am writing in strong support of Lawrence Reifurth's confirmation as Associate Judge, Hawaii Intermediate Court of Appeals.

I have known Lawrence for approximately four years, both in his capacity as Deputy Director and as Director of the Department of Commerce and Consumer Affairs (DCCA).

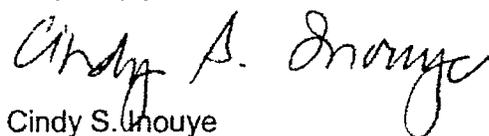
Lawrence is a very intelligent and insightful person. He has superior analytical skills and is very articulate in expressing his views. Lawrence has also shown himself to be a person of great integrity and a dedicated public servant. He has done an outstanding job at DCCA, including significantly increasing public access to government services by expanding the public's ability to obtain departmental services online.

Lawrence's legal experience in both the private sector and at the Department of the Attorney General will no doubt provide him with a solid foundation for making well-reasoned and responsible decisions as an Associate Judge. In terms of judicial temperament, I have always known Lawrence to be even-tempered and respectful in his dealings with others.

Based upon my personal interactions with Lawrence and my knowledge of his background and experience, I have no hesitation in supporting his confirmation.

Your favorable consideration is requested.

Very truly yours,



Cindy S. Inouye  
Deputy Director

**JO ANN M. UCHIDA  
1147 ALA NAPUNANI ST.  
HONOLULU HI 96818**

TO THE  
SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
THE TWENTY FIFTH STATE LEGISLATURE  
REGULAR SESSION, 2010

Friday, January 29, 2010  
9:30 a.m.

**TESTIMONY ON G.M. 119 IN SUPPORT OF LAWRENCE M. REIFURTH AS  
ASSOCIATE JUDGE OF THE INTERMEDIATE COURT OF APPEALS**

TO THE HONORABLE BRIAN T. TANIGUCHI, CHAIR, AND COMMITTEE  
MEMBERS

My name is Jo Ann Uchida. Thank you for this opportunity to present testimony in strong support of the nomination of Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals of the State of Hawaii.

Although I am testifying as a private citizen, by way of background, I am the Complaints and Enforcement Officer of the Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs. I met Lawrence Reifurth when he became DCCA's Deputy Director in 2003 and have worked with him since that time. As Deputy Director from 2003 to 2007 and as Director from 2007 to 2010, Larry has worked diligently to serve the public in a fair, efficient and effective manner.

As Deputy Director, Larry was the primary contact for responding to questions or complaints from the public on matters involving DCCA. Where those questions or complaints involved RICO, Larry quickly grasped arcane licensing enforcement issues and determined an appropriate course of action. As Director, Larry continues to take time to communicate with the entire spectrum of individuals who contact the department for help, and goes out of his way to ensure that everyone's point of view is heard and that everyone is treated equally.

Despite all of the work and responsibilities that go along with the Director job, Larry is consistently upbeat, even-tempered, friendly and good-natured. He has an ideal combination of intellect, integrity, compassion, and common sense that will make him an excellent choice for Associate Judge of the Intermediate Court of Appeals. I urge you to favorably consider his nomination.

Thank you for this opportunity to testify in strong support of this nomination.

TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

FRIDAY, JANUARY 29, 2010  
9:30 A.M.

GOVERNOR'S MESSAGE NO. 119  
Nomination of Lawrence M. Reifurth

WRITTEN ONLY

TESTIMONY OF CHRISTINE HIRASA TO THE HONORABLE SENATOR BRIAN  
TANIGUCHI, CHAIR, AND MEMBERS OF THE COMMITTEE

It is my pleasure to express my support for Lawrence M. Reifurth, gubernatorial nominee to the Intermediate Court of Appeals.

I have had the great opportunity of working with Mr. Reifurth for the past five years at the State Department of Commerce and Consumer Affairs (DCCA), where I serve as the department's Public Information Officer. I truly feel he would make an excellent Associate Judge for the people of Hawaii. Mr. Reifurth is hard-working, well-liked and respected among his staff and colleagues. In working with him, I have found that he is always fair, open-minded, and respectful in his dealings with others.

Prior to working for DCCA, I worked as the Public Information Officer for the Hawaii State Judiciary. My experience with the judiciary allowed me to work first-hand with many different judges. By comparison, Mr. Reifurth has excellent judicial temperament and would be a welcome addition to the judiciary. His legal ability and expertise, along with his compassion for others and commitment to justice, are all qualities that will make him an exceptional judge. The people of Hawaii want judges we can trust. We need judges who have a clear respect for the system of justice, and respect for Hawaii's citizens.

For all the reasons expressed, I respectfully urge you to confirm the nomination of Mr. Reifurth. Thank you for the opportunity to testify.

95-1021 Alaume Street  
Mililani, Hawai'i 96789

January 27, 2010

The Honorable Brian T. Taniguchi  
Senator  
Chair, Committee on Judiciary and Government Relations  
Senate  
State Capitol  
Honolulu, Hawai'i 96813

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

Re: Nominee for Associate Judge, Intermediate Court of Appeals Nominee:  
Lawrence M. Reifurth

I have known Larry since 1989 when he was hired as a Deputy Attorney General. We worked together in various divisions within the Department of the Attorney General and I have numerous opportunities to observe his legal and communication skills. We also developed a personal relationship that allowed me to socialize with his wife, Mei Nakamoto, Esq., and observe his two daughters grow up into being outstanding young women.

I need not discuss further Larry's diverse litigation experience, sophisticated legal acumen, and active analytical skills as an attorney. His legal qualifications will withstand any public scrutiny and I respectfully submit may exceed many other judicial appointments made by previous Governors. However, I would like to emphasize the following two points in support of Larry's appointment: his business law background and active communication skills.

In addition to his law degree (member of Law Review Editorial Board), Larry has also obtain business degrees at the undergraduate (Economics, Cum laude) and graduate (Finance, Dean's List) level. He also applied his education background to succeed in all his past work experiences. I submit that future appellate decision-making will involve complex corporate law issues involving new commerce and technology. Larry's business education and work experience, especially in the areas of commercial litigation and as the Director of Commerce and Consumer Affairs will provide him with the necessary tools and qualifications required to address the complex corporate law issues at the appellate court level.

Larry has also developed superior communication skills at the highest level, including having a unique trait of being an "active listener." He has the ability to quickly understand statements made to him and to process that understanding into appropriate

and relevant responses. In addition to his sophisticated analytical skills, Larry's excellent writing and verbal skills allows him to be an excellent communicator.

Finally, I have personally experienced Larry's respect for the diversity and aloha spirit of the people of Hawai'i. If appointed, I have the absolute confidence that his judicial demeanor will convey that respect.

May I offer my highest recommendation for Larry's appointment to the Intermediate Court of Appeals.

Aloha,

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

Winfred Pong

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

January 27, 2010

**RE: Hearing on Gubernatorial Nomination of Lawrence M. Reifurth**

Dear Senators Taniguchi, Takamine and Committee Members:

I would like to take this opportunity to express my endorsement for the nomination of Lawrence M. Reifurth. As a previous manager of the Securities Enforcement Branch at DCCA, I had the pleasure of working with Larry Reifurth for 5 years. In my position as the senior enforcement attorney, I had direct contact with Mr. Reifurth in his capacity as both Deputy Director and Director of DCCA.

During my 14 years working as an enforcement attorney, I had the opportunity to be involved in many cases that impacted the community. It was through several of these cases that I saw Mr. Reifurth's concern and compassion for the community, and had the opportunity to experience his honesty and integrity. I was also able to utilize his knowledge and perspective of litigation with regard to the cases that involved my office. I was always impressed with his calm demeanor and appreciated that he was approachable.

I truly believe that Mr. Reifurth is an honorable individual who will bring all of these wonderful qualities to the bench, which will greatly benefit our community.

Thank you for the opportunity to provide my thoughts.

With much respect,

Patricia Moy

Randolph R. Slaton  
217 Prospect St., Apt. A-5  
Honolulu, Hawai'i 96813  
January 27, 2010

The Honorable Brian T. Taniguchi, Chair  
The Honorable Dwight Y. Takamine, Vice Chair  
Senate Committee on Judiciary and Government Operations  
State Capitol, Conference Room 16  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: Nomination of Lawrence M. Reifurth to the Intermediate Court of Appeals  
GM 119; January 29, 2010, 9:30 a.m.

Dear Senator Taniguchi and Senator Takamine:

I fully support the nomination of Lawrence M. Reifurth. I have worked with Mr. Reifurth over the past four years while representing the Department of Commerce and Consumer Affairs in various litigation matters on behalf of the Attorney General.

His character and leadership impressed me earlier as being needed in leading any department given the many constituencies that have an interest in any State action as well as those who are affected indirectly. These same characteristics are important for a jurist and include a calmness in working with employees and asking probing questions even in sensitive or problematic areas; a capacity to look for practical resolutions without short-cutting any necessary steps; an ability to look at details while maintaining an overall perspective in order to further the Department's overarching goals; supporting his staff while leading it; listening patiently with an open mind; and learning from others' thoughts and positions. Moreover, an important characteristic for an appellate judge is the strength to maintain one's own views and principles while working to reach agreement with other jurists in order to provide guidance in the law, and Mr. Reifurth's extensive service throughout his career has demonstrated that he has that strength.

His educational background is outstanding, and his work experience, importantly both in and out of government service, have provided him with a broad view of the current challenges that come for review before an appellate court. An unstated need for an appellate jurist is to be able to apply the constitution and the laws of the State throughout the islands, and Mr. Reifurth's consistent and extensive service for a variety of community activities, as both a worker and a leader, have provided him with an understanding of, and appreciation for, the many lives that the people of Hawai'i live and how our laws affect people throughout the State.

Sincerely,



Randolph R. Slaton

Senator Brian Taniguchi, Chair  
Senator Dwight Takamine, Vice-chair

**Senate Committee on Judiciary and Government Operations**  
Governor's Message 119  
Confirmation of Lawrence M. Reifurth as  
Associate Judge, Intermediate Court of Appeals

Friday, January 29, 2010; 9:30 A.M.  
Conference Room 16

Testimony

Mr. Chairman and members of the Committee, my name is Jim Williams, and I am testifying as an individual. Thank you for this opportunity to present this testimony in support of the confirmation of Lawrence Reifurth as Associate Judge of the Intermediate Court of Appeals.

In my former capacity as Administrator of the Hawaii Employer-Union Health Benefits Trust Fund (EUTF), I had the pleasure of working with Mr. Reifurth in his role as Trustee of the Board of Trustees of the EUTF. Additionally, I have interacted with Mr. Reifurth as Director of the Department of Commerce and Consumer Affairs (DCCA) and observed his testimony in numerous hearings at this Legislature.

In his dealings with me, Larry Reifurth has been fair and objective, qualities that I believe are important for a judge to have. As a Trustee, he was conscientious, even-handed, and non-dogmatic. He asked questions aimed at important questions, and he was extremely mindful of his duty to the employees and retirees. These habits, too, should serve him well on the bench. Mr. Reifurth exhibits both intelligence and diligence in his approach to his work. He combines a common man's touch with a sophisticated thought process. At the Legislature, Mr. Reifurth consistently and insistently advocates for the needs of DCCA and the businesses it serves.

Lawrence Reifurth, in my work with him and observation of him, has demonstrated the highest level of integrity. His intellect and good judgment are readily apparent based on my association with him. I hope you will recommend confirmation of Mr. Reifurth's appointment as Associate Judge to the Intermediate Court of Appeals.

Thank you for this opportunity to present this testimony in support of confirmation of Lawrence Reifurth.

Jim Williams  
60 N. Beretania St.  
Honolulu, Hawaii 96817

TO THE SENATE JUDICIARY AND GOVERNMENT OPERATIONS COMMITTEE  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

Friday, January 29, 2010  
9:30 a.m.  
Conference Room 016

TESTIMONY ON GM119 RELATING TO LAWRENCE M. REIFURTH FOR THE  
POSITION OF ASSOCIATE JUDGE, INTERMEDIATE COURT OF APPEALS

My name is Ron Boyer, and I am the Deputy Director of the Department of Commerce and Consumer Affairs. I strongly support Larry Reifurth's nomination for the position of Associate Judge, Intermediate Court of Appeals, and I encourage the Committee to recommend his confirmation by the full Senate.

You are well aware of Larry's qualities but perhaps my perspective gained from working closely with him on a daily basis over the past several years may be valuable.

I have known Larry for five years, having first met him when I was an analyst with the Governor's Policy Office assigned to work with, among other departments, the DCCA where Larry then served as Deputy Director. As an analyst, DCCA stood out for me from the beginning for two reasons. First, the Department was always on-time in submitting bills, testimonies, and reports to the Legislature, and always responsive and helpful to Policy Office requests for information. Second, Larry often made it a point to stop by the Policy Office when he was at the Legislature to testify, simply to spend a few minutes talking story or to say thanks for some particular effort we had made in support of DCCA. In fact, both of these reasons can be attributed directly to Larry because he was the Department's point man at the time for ensuring DCCA's timeliness and responsiveness.

However, I really got to know Larry well in July 2007 when I became the DCCA Deputy Director. To my great delight, I discovered that Larry is truly a good man. His character and integrity are impeccable. He is the same man behind closed doors as he is in public.

Larry is one of the brightest people I know. No doubt the reason he is such a good chess player is that he thinks two or three steps ahead. He has a superb ability to analyze situations and apply his intellect to solve problems with a common sense approach that sometimes seems to be all too rare these days.

Always willing to share what he knows, Larry has been a great mentor for me. He always makes time for me and, from the beginning, has included me in his decision-making on just about every issue at the Department. Not only has this given me insight into the workings of the Department, but as the recipient of his patience and kindness, has given me a valuable lesson on interpersonal relationships.

I have always been impressed with Larry's generosity in giving credit to others. Whether in meetings with the Governor or simply talking casually with me, Larry is quick to "name names" whenever someone lauds the Department or commends him for a job well done. He is quick to thank DCCA employees for their hard work, and never fails to make sure their supervisors know that a customer has sent an email or note of appreciation to the Director singling out a particularly helpful staff member or section.

From my vantage point, Larry is far and away one of the most conscientious, humble, and hard-working individuals I have had the good fortune of not only knowing, but working for as well. He is intelligent, creative, and a good leader. Larry is even-tempered and consistent; a man of good character and integrity. These qualities will serve the people of the State of Hawaii well should Larry Reifurth be confirmed as an associate judge of the ICA.

I am proud to call Larry my friend.

I strongly support his nomination, and encourage you to recommend his name to the full Senate for confirmation.

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

**SUBMITTING FOR CONSIDERATION AND CONFIRMATION  
AS CIRCUIT JUDGE OF THE FIRST CIRCUIT,  
GUBERNATORIAL NOMINEE, LAWRENCE REIFURTH**

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

I strongly support the nomination and confirmation of Lawrence Reifurth, as a Judge of the First Circuit Court.

Mr. Reifurth is a sensitive, even tempered, and compassionate person, who makes the time and effort to listen to all sides before rendering a decision. He is a good listener, articulate, well organized, and has demonstrated his ability to be fair and firm when addressing complex issues and concerns.

It is for these reasons; I strongly support and urge the confirmation of Mr. Lawrence Reifurth as a Judge for the First Circuit Court.

Clayton A. Frank

A handwritten signature in cursive script, appearing to read "Clayton A. Frank".

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**From:** dale schofield [hschofield@msn.com]  
**Sent:** Thursday, January 28, 2010 9:22 AM  
**To:** JGO Testimony  
**Subject:** ICA Appointment - Lawrence Reifurth; Testimony

Dear Committee:

I worked with Mr. Reifurth for approximately 6 years at the Hawaii Attorney General's Office where both Larry and I served as Deputy Attorneys General. Larry went on to serve as the Hawaii Insurance Commissioner, went into the private practice of law, and is now the Executive Director of the Hawaii DCCA. I have known Larry personally for 21 years, and believe he would be an excellent judge with the ICA. Larry is a thorough, hard-working and intelligent lawyer and administrator, and his experience in working with so many facets of Hawaii's legal/administrative system makes him unusually well-suited to handle those issues specific to Hawaii and Hawaii's courts. I would recommend Mr. Reifurth unconditionally for the position on the ICA.

Very truly yours,

Dale H. (Hal) Schofield  
Attorney at Law

## COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Hearing on consideration and confirmation to the Intermediate Court of Appeals, Associate Justice, Gubernatorial Nominee LAWRENCE M. REIFURTH for a term of ten years.

Date: Friday, January 29, 2010

Time: 9:30 am

Place: Conference Room 16

State Capitol

415 South Beretania Street

Testifier: James E. Halvorson

I want to express my strong support for the confirmation of Larry Reifurth for Associate Justice of the Intermediate Court of Appeals. As some of you may know I am the Supervising Deputy Attorney General for the Employment Law Division. While I am not here representing the Department of the Attorney General and I am appearing in my personal capacity, I have been in a position to work with Larry on a variety of personnel issues over the last seven years and I can vouch for his professionalism, his compassion and his sense of fairness as first the Deputy and now the Director of DCCA. His temperament is measured and thoughtful. He never jumps to conclusions and always seeks the truth.

However, I'm sure lots of people have told you these things. What I want to add is that I've known Larry Reifurth long before he was appointed to serve in this administration. We have worked together as Hawaii Swimming Officials for many years. He has been a Stroke and Turn Judge, a Chief Judge, a Starter and Referee. I have always enjoyed working a swim meet with Larry. His meets always go smoothly, he remains calm and focused no matter what happens. His amiable personality goes a long way to lightening up a long day on the hot pool deck. Not only do swimming officials volunteer many hours and weekends (unpaid) to officiate meets, they have to undergo training and take tests to become qualified. I think our Intermediate Court of Appeals would be well served by a person of Larry Reifurth's ability and willingness to provide community service.

TESTIMONY BY ROBERT N.E. PIPER, ESQ.  
TO  
THE SENATE JUDICIARY AND GOVERNMENT OPERATIONS COMMITTEE  
ON  
GOVERNOR'S MESSAGE NO. 119  
January 29, 2010  
9:30 a.m.

Chairperson Taniguchi, Vice-Chairperson Takamine, and Members of the Senate Judiciary and Government Operations Committee:

Aloha mai kākou. My name is Robert N.E. Piper and I thank you for the opportunity and honor to submit this testimony in strong support of Governor's Message No. 119 nominating Lawrence M. Reifurth as Associate Judge of the Intermediate Court of Appeals for the State of Hawaii.

I am currently the Executive Director of the Honolulu Community Action Program, Inc. ("HCAP"), a non-profit human service agency in Honolulu, but I humbly submit this testimony today in an individual and personal capacity. Prior to employment at HCAP, I was the Deputy Director of the Department of Budget & Finance, and was previously the Chief of Staff in the Office of the Lieutenant Governor. I have had numerous occasions to work with Mr. Reifurth on many issues spanning budget & finance issues, commerce and consumer affairs issues, and general management issues over the last four (4) years and my experience in all of these dealings with Mr. Reifurth has been nothing short of exemplary.

Aside from my positions with HCAP, and within the Lingle/Aiona Administration as described above, I was also a practicing attorney in private practice for over 6 years as well as a past president and board member of the Native Hawaiian Chamber of Commerce. In my humble opinion, Mr. Reifurth has balanced a strong commitment to quality of service and legal integrity and propriety with a deep sense of aloha and respect for others no matter what their position in life or political leaning. Through this personal example of professionalism and dedication to the mission of serving the people of Hawaii, Mr. Reifurth has helped set the tone for not only the staff of his department but for other members of the Lingle/Aiona Administration as well.

In my dealings with Mr. Reifurth over the past four (4) years, he has always displayed a strong independence of judgment, integrity and honesty, an acute legal analytical skill, a deep awareness of issues, and compassion – all attributes that a judge sitting on the Intermediate Court of Appeals should have. He has an uncanny ability and skill in dealing with the many important issues that confront us. He is a quick study, a strong communicator, and his experience in both the public and private sectors serves us all well.

For the reasons stated above, I humbly and strongly support the confirmation of Lawrence M. Reifurth as an Associate Judge of the Intermediate Court of Appeals of the State of Hawaii. Mahalo piha.

Charles W. Totto, Esq.  
3846 Mariposa Drive  
Honolulu, Hawaii 96816  
(808) 224-8981

January 26, 2010

Honorable Brian T. Taniguchi, Chair  
and Members of the Senate Judiciary  
and Government Operations Committee  
415 South Beretania Street, Room 219  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: GM 119, Confirmation of Lawrence M. Reifurth to the Intermediate Court of Appeals

Hearing: JGO, January 29, 2010, 9:30 a.m., Conference Room 16

Dear Chair Taniguchi,

I write to support the confirmation of Lawrence M. Reifurth to the Intermediate Courts of Appeals.

I have known Larry since 1989 as a colleague, a client and a friend. From 1989 to 1992 Larry was a deputy Attorney General representing the Division of Consumer Advocacy and the utility ratepayers of Hawaii. Larry's work for the Consumer Advocate was exceptional. His dedication and perseverance helped the division successfully handle rate cases from all the major utilities. Even under the intense pressure of multi-million dollar rate cases, Larry calmly, fairly and incisively presented the ratepayer's positions.

Since those days, Larry has committed much of his career to public service: in the Attorney General's office, as Insurance Commissioner and Deputy Director and Director of the Department of Commerce and Consumer Affairs. He is no stranger to making critical decisions that affect all of our communities. He will draw on this wealth of experience if confirmed to the appellate court.

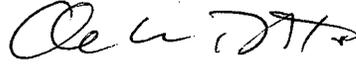
Larry has a superb legal mind. He is able to distill complicated legal issues to concise core principles and, then, to communicate his analysis both orally and in writing.

Larry is also a consummate team player. He seeks out the opinions of others, accepts constructive criticism and will try to build consensus. If consensus is unavailable, however, he will make the tough decisions based on careful reasoning and balancing all the interests.

Honorable Brian T. Taniguchi  
January 26, 2010  
Page 2

It is my privilege to support Larry for this important position.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Tutto". The signature is fluid and cursive, with a small arrow-like flourish at the end.

Charles W. Tutto

January 26, 2010

Committee on Judiciary & Government Operations  
Hawaii State Senate, Hawaii State Capitol

Re: Confirmation of Lawrence M. Reifurth

Dear Committee Members:

I am writing to express my strong support for the nomination of Lawrence ("Larry") M. Reifurth, Director of the Department of Commerce and Consumer Affairs (DCCA), to the Hawaii Intermediate Court of Appeals, and to urge this committee to confirm his nomination. Director Reifurth's abilities, experience, and dedication make him the ideal candidate for a judgeship on the ICA.

As a volunteer at the DCCA I had the privilege to work with Larry, and I know that his intelligence, personality, and dedication to the people of Hawai'i, will make him a great judge. Moreover, as a former ICA law clerk, I am confident that should Larry join the ICA, he will be a valued and welcome member of an already outstanding court.

In conclusion, I strongly support Director Reifurth, and I urge this committee to confirm his nomination to the Hawaii Intermediate Court of Appeals.

Sincerely,

Andrew Hipp

TO THE SENATE COMMITTEE ON  
JUDICIARY AND GOVERNMENT OPERATIONS

TWENTY-FIFTH LEGISLATURE  
Regular Session of 2010

January 29, 2010  
9:30 a.m.

**TESTIMONY ON GOVERNOR'S MESSAGE NO. 119  
REGARDING THE NOMINATION OF LAWRENCE M. REIFURTH  
TO THE INTERMEDIATE COURT OF APPEALS,  
STATE OF HAWAII**

TO THE HONORABLE BRIAN T. TANIGUCHI, CHAIR,  
THE HONORABLE DWIGHT Y. TAKAMINE, VICE CHAIR  
AND MEMBERS OF THE COMMITTEE:

My name is Rod Maile, and I am the Senior Hearings Officer for the Office of Administrative Hearings, Department and Commerce and Consumer Affairs ("DCCA"). Thank you for the opportunity to present testimony in support of the nomination of Larry Reifurth to become Associate Judge of the Intermediate Court of Appeals for the State of Hawaii.

I first met Larry in 1989, when he was the advising Deputy Attorney General for the Division of Consumer Advocacy of DCCA. Since then, I have had the opportunity and the privilege to work with Larry during his tenure as the Insurance Commissioner for the Insurance Division of DCCA in 1994, and once again from January 2003 when he became the Deputy Director of DCCA, and then Director of DCCA in 2007. Based upon my experiences working with Larry, I sincerely believe that he will be an outstanding judge on the Hawaii Intermediate Court of Appeals.

Larry has an unblemished reputation in the community for being scrupulously fair, impartial, and honest. In all of the years that I've known and worked with Larry, he has always comported himself at the highest levels of professional and personal ethics, and because of the nature of DCCA's regulatory responsibilities, Larry makes sure that every member of the DCCA staff also ascribes to the same high ethical and professional standards.

I believe that everyone who has ever worked with Larry will acknowledge that he is very bright, insightful, diligent, and meticulous in his work. He is kind, modest, attentive, and unassuming in his relationship with others, and is very dedicated to public service.

While Larry was the Deputy Director, and later as the Director of DCCA, Larry developed a truly encyclopedic knowledge of the workings of DCCA, as well as the issues and factors that affect DCCA's ability to fulfill its responsibilities.

As this Committee knows, the subject matter jurisdiction of DCCA is very extensive, and as the Director of DCCA, Larry is ultimately responsible for every decision and every action that is taken by DCCA. Consequently, Larry continuously keeps abreast of all of the laws, rules, and judicial decisions that affect DCCA, as well as following proposed legislation and the constantly evolving national trends for particular areas of regulation.

Moreover, because many of the matters pending before DCCA involve applicants or licensees that are represented by legal counsel, as Director, Larry's legal abilities are constantly tested by those individuals and entities that would have DCCA perform its responsibilities in ways that are inconsistent with the purpose and intent of DCCA's regulatory mission. In the final analysis, Larry's superior legal knowledge and abilities, have allowed DCCA to continue to fulfill its regulatory responsibilities in a fair and impartial manner.

In terms of Larry's leadership philosophy and style, as the Director of DCCA, Larry has led by example, and has always led from the front. As a leader, Larry is calm, focused, and has exceptional problem-solving skills, even in the face of extraordinary challenges. Larry does not seek public accolades, nor does he shirk from taking responsibility for his decisions and the actions of DCCA.

Larry is a tireless advocate for DCCA and its staff, and is uncompromising in his dedication to doing what is right. Larry is also a team player who knows when to place personal advocacy on the side, and focus instead on working cooperatively to solve issues.

Among his many duties as the Director of DCCA, Larry is my immediate supervisor for matters related to contested case hearings conducted by OAH. I have always trusted and relied on Larry's analytical skills and legal assessment of issues involved in the cases that OAH has submitted for his review. His experiences as a Director and Deputy Director of DCCA, Deputy Attorney General, Insurance Commissioner, and as an attorney in private practice, have been invaluable in ensuring that his final decisions in these kinds of cases are sound in every possible aspect. Larry has also been a staunch protector of the independence of OAH in order to ensure that the quasi-judicial responsibilities of DCCA are stringently fulfilled in a fair and impartial manner.

In contested cases where Larry himself is the final authority, Larry has always observed the highest standards of judicial ethics in the performance of his quasi-judicial responsibilities, including avoiding even the appearance of impropriety; abstaining from *ex parte* communications with anyone regarding pending cases; making sure that he has no conflicts regarding the parties to the disputes; and conducting his own in-depth review of the hearing record before making his final decision. In dealing with the parties in contest case hearings, Larry is fair and patient, but never condescending. Although Larry is extremely bright and conversant in all of DCCA's regulatory laws and rules, he does not belittle or antagonize the parties or their attorneys who are not familiar with the applicable laws or the contested case hearings process. Larry's decisions are always based on applicable law, well-reasoned, and concise.

In the years that I have worked with Larry, I know him to be a person of quiet, but enduring strength of character; he is not swayed by expediencies or inappropriate advocacy, but instead can always see the underlying issues that matter. I firmly believe that Larry has demonstrated exceptional leadership, legal acumen, and steadfast character that will allow him to be an excellent member of the Hawai'i Intermediate Court of Appeals. Accordingly, I would respectfully ask for your favorable consideration of Larry's nomination to the Intermediate Court of Appeals.

TO THE SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

FRIDAY, JANUARY 29, 2010  
9:30 A.M.

TESTIMONY OF DEAN NISHINA TO THE HONORABLE BRIAN TANIGUCHI, CHAIR,  
AND MEMBERS OF THE COMMITTEE

**GOVERNOR'S MESSAGE NO. 119, – RELATING TO THE NOMINATION OF  
LAWRENCE M. REIFURTH TO THE INTERMEDIATE COURT OF APPEALS  
AS AN ASSOCIATE JUDGE.**

I am pleased to offer testimony in support of the nomination of Lawrence M. Reifurth ("Larry") to be an associate judge on the intermediate court of appeals.

As an analyst with the Division of Consumer Advocacy ("Division"), I have had the opportunity to work with Larry in various capacities since the early 1990's. When I first started working with the Division in 1992, Larry was with the Attorney General's office and was in the section that was assigned to support the Division. Through this working relationship, I was first introduced to Larry's abilities, which were readily evident. Larry provided invaluable service in different ways, such as bringing excellent writing skills that improved the Division's filings with the Public Utilities Commission.

I have also had the opportunity to work "across the table" from Larry when he was working as counsel representing utility companies. Larry always displayed a calm, professional demeanor in our interactions in these utility proceedings.

Finally, having worked as an employee in the Department of Commerce and Consumer Affairs while Larry has been serving as the deputy director under Mark Recktenwald and, now, with Larry as the Director for these past few years, Larry has continued to exhibit the skills and professional attitude that would support the conclusion that Larry possesses the type of judicial demeanor that would serve well in the capacity for which he is currently being nominated. While we will sorely miss his presence in the department, the committee's confirmation of Lawrence M. Reifurth's nomination is well deserved.

Thank you for this opportunity to testify.

RODNEY I. KIMURA  
c/o 425 Queen Street  
Honolulu, Hawaii 96813  
[rkimura@justice.com](mailto:rkimura@justice.com)

January 28, 2010

The Honorable Brian T. Taniguchi  
Chair, Senate Committee On Judiciary  
And Government Operations  
State Capitol, Room 219  
415 South Beretania Street  
Honolulu HI 96813

[Emailed to IGOTestimony@Capitol.hawaii.gov](mailto:IGOTestimony@Capitol.hawaii.gov)

Dear Chair Taniguchi:

RE: GM 119-Gubernatorial Nominee Lawrence M. Reifurth  
Friday, January 29, 2010 @ 9:30 a.m.

The purpose of this letter is to express my support for the confirmation of Lawrence M. Reifurth as an Associate Judge, Intermediate Court of Appeals.

I met Larry in 1989 when he was hired as a Deputy Attorney General. Larry and I represented the Division of Consumer Advocacy in proceedings before the Hawaii Public Utilities Commission and certain federal regulatory agencies. As his co-worker and his supervisor, I had a very good opportunity to observe Larry's legal skills, work ethic, and temperament.

Larry displayed an exceptional ability to grasp new and sometimes arcane legal issues, to expound upon these issues, orally and in writing, and to effectively advocate on behalf his client. In terms of work ethic, there is not much more that one can say about a person who consistently strived for excellence. And let me add that Larry's temperament, whether as an advocate or a co-worker, was above reproach.

Since Larry moved on in 1992, I have continued to maintain fairly frequent contact with him on official and personal matters. I have seen Larry grow in so many ways, and especially as regards his desire to serve the public.

I strongly believe that the State of Hawaii will be well served by Larry in the capacity as an Associate Judge. I ask that the Committee favorably consider and confirm Larry.

Very truly yours,



Rodney I. Kimura