



## UNITED STATES DISTRICT COURT

CHAMBERS OF  
SUSAN OKI MOLLWAY  
CHIEF UNITED STATES DISTRICT JUDGE

DISTRICT OF HAWAII  
300 ALA MOANA BOULEVARD, C-409  
HONOLULU, HAWAII 96850-0409

TELEPHONE  
(808) 541-1720  
FACSIMILE  
(808) 541-1724

August 6, 2009

VIA MAIL AND FAX 586-6461

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

**Re: Appointment of Craig Nakamura as Chief Judge of the Intermediate  
Court of Appeals**

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Dear Senator Taniguchi:

I am delighted to respond to your request for comments on Associate Judge Craig H. Nakamura, who has been nominated to be the Chief Judge of the Intermediate Court of Appeals. Judge Nakamura has my highest recommendation.

Judge Nakamura and I were law school classmates, and, even in law school, I knew that he was brilliant, hard-working, and thoughtful. I had some contact with him when we were both in private practice, and I maintained the same opinion of him then.

But it is in my position as a federal judge that I have had the greatest opportunities to appreciate what a terrific lawyer he is. He appeared before me in numerous criminal proceedings, and I was fortunate that he was the Assistant United States Attorney in the first criminal trial I presided over. Both in hearings and in trial, his oral presentations are consistently well-reasoned and well-prepared. His hallmark is his ability to advocate zealously while never overstating his position. He concedes when he must, and thereby strengthens his arguments.

As an appellate judge, he has participated in hearings and written numerous opinions. Federal courts, as you know, frequently handle state law issues in diversity cases, so I have had occasion to study ICA opinions he has issued. I cannot praise his written work enough. Like the briefs he wrote as a practicing attorney, his judicial opinions are well-organized, thoroughly researched, clear, and articulate. I consider him to be a very graceful writer. The

Honorable Brian T. Taniguchi  
August 6, 2009  
Page 2

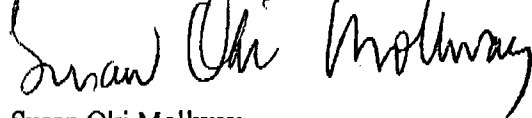
parties who appear before him and the other members of his court have quickly come to admire his written work.

His temperament and his courtesy have worked to his advantage on the bench. He has exactly the demeanor that litigants hope for in an appellate judge, and I am sure the other members of his bench have enjoyed working with him.

Having recently become the Chief Judge of the United States District Court for the District of Hawaii, I am very conscious that a Chief Judge is called upon to deal with a wide variety of people and issues. Other judges, court employees, members of the bar, elected officials, and litigants may present sensitive matters to a Chief Judge. I can think of few people likely to handle such matters more carefully and appropriately than Judge Nakamura. And I have every reason to expect that the time he will devote to administering the ICA will in no way diminish the excellence of his work on appellate cases. It is not uncommon for me to notice, if I am walking down Queen Street in the evenings, that Judge Nakamura's chambers lights are on, leading me to think that he is still hard at work (and shaming me for being away from my own desk). I hope the Senate will quickly confirm him as Chief Judge.

If you have further questions, please do not hesitate to contact me.

Very truly yours,



Susan Oki Mollway  
United States District Judge



## UNITED STATES DISTRICT COURT

CHAMBERS OF  
HELEN GILLMOR  
SR. UNITED STATES DISTRICT JUDGE

DISTRICT OF HAWAII  
300 ALA MOANA BOULEVARD, C-400  
HONOLULU, HAWAII 96850-0400

TELEPHONE  
(808) 541-3502  
FACSIMILE  
(808) 541-3579

August 6, 2009

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

Dear Chairman Taniguchi:

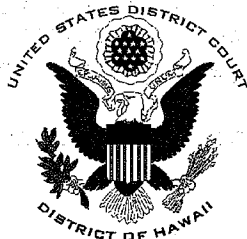
Thank you for allowing me to comment on the nomination of Judge Nakamura to serve as Chief Judge of the Intermediate Court of Appeals for the State of Hawaii.

Judge Nakamura was one of the finest trial attorneys who ever appeared before me. He was always prepared, articulate, and effective.

His current nomination reflects the stature he has earned in the larger Hawaii community, and is well deserved.

In addition, Judge Nakamura is gifted in analysis and writing. These skills have already benefitted the Intermediate Court of Appeals. He would make a fine Chief Judge.

Very truly yours,



/S/ Helen Gillmor

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Helen Gillmor  
United States District Judge

**UNITED STATES DISTRICT COURT**

DISTRICT OF HAWAII  
300 ALA MOANA BLVD., C-415  
HONOLULU, HAWAII 96850

CHAMBERS OF  
ALAN C. KAY  
SR. DISTRICT JUDGE

TELEPHONE:  
(808) 541-1904  
FAX (808) 541-3517

August 3, 2009

Fax No. 586-6461

Honorable Brian T. Taniguchi  
Chair, Committee on Judiciary and  
Government Operations

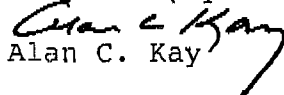
Dear Senator Taniguchi:

This is in response to your letter of July 29, 2009 whereunder the Committee on Judiciary and Government Operations has requested my input with respect to its consideration of the nomination of Judge Craig H. Nakamura for Chief Judge of the Intermediate Court of Appeals.

I first met Judge Nakamura in the early 1990s when he was serving as an Ass't. U.S. Attorney. He appeared before me in my court on numerous occasions. I found Craig to possess all of the skills and qualities of an outstanding litigant. He was an articulate and strong advocate, yet courteous and humble. He was always well prepared. I was particularly impressed with his writing ability. He handled many appeals to the 9<sup>th</sup> Circuit Court of Appeals. He also has served as an associate with Goodsill Anderson Quinn & Stifel. More recently Craig Nakamura has ably served as a Judge of the Intermediate Court of Appeals. My understanding is that he has done an excellent job in that position. Moreover, he has gained valuable experience as a jurist and written well received decisions.

Judge Nakamura is well respected in the legal community for his professionalism, integrity and legal expertise. I am confident that he would excel as Chief Judge of the Intermediate Court of Appeals.

Very truly yours,

  
Alan C. Kay

ACK:ask

cc: Judge Craig H. Nakamura



## UNITED STATES DISTRICT COURT

CHAMBERS OF  
J. MICHAEL SEABRIGHT  
UNITED STATES DISTRICT JUDGE

DISTRICT OF HAWAII  
300 ALA MOANA BOULEVARD, C-435  
HONOLULU, HAWAII 96850-0435

TELEPHONE  
(808) 541-1804  
FACSIMILE  
(808) 541-1851

August 11, 2009

### FAX TRANSMITTAL

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

Re: Craig Nakamura

Dear Senator Taniguchi:

Thank you for inviting me to submit comments regarding Judge Craig Nakamura's nomination as the Chief Judge to the Intermediate Court of Appeals. Without any hesitation, I unconditionally recommend that the Senate confirm Craig's nomination.

I have known Craig since 1990, when we were both employed at the United States Attorney's Office for the District of Hawaii. I worked closely with Craig during his entire time as an Assistant U.S. Attorney, acted as Craig's supervisor for a period of time, and have kept in close contact with him since he left the United States Attorney's Office. I am also honored to consider Craig a friend.

I fully support Craig's nomination and recommend confirmation. Based on my professional relationship with Craig, I can state that Craig would continue his excellent work as a judge on the Intermediate Court of Appeals and would step in the role as the court's administrator with distinction. Craig possesses that unique combination of traits that he has consistently demonstrated as a judge - intelligence, integrity, an unquestionable sense of fairness, and an enviable work ethic. In his new role as the court's chief administrator, I am confident that Craig would work well with others. I have often been witness to Craig's openness and ability to work with others, even those with divergent opinions. He always strives to build consensus,

The Honorable Brian T. Taniguchi  
Page Two  
August 11, 2009

but is also able to make hard decisions, over others objections, when required. In his practice as an Assistant U.S. Attorney, Craig treated everyone involved in a case -- including opposing counsel -- with respect and dignity. I am confident that this positive attitude towards other would carry over to Craig's work as the Chief.

Thank you for providing me the opportunity to offer my support for Craig's confirmation.

Very truly yours,

  
J. Michael Scabright  
United States District Judge



## U.S. Department of Justice

*United States Attorney  
District of Hawaii*

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*PJJK Federal Building  
300 Ala Moana Blvd., Room 6-100  
Honolulu, Hawaii 96850*

*(808) 541-2850  
FAX (808) 541-2958*

August 6, 2009

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

SUBJECT: Letter of Strong Support for Judge Craig Nakamura for Chief Judge.

Dear Chairperson Taniguchi and Members of the Senate Judiciary and Government Operations Committee:

Please allow me to voice my strong support for the nomination of Judge Craig Nakamura for the position of Chief Judge of the Hawaii State Intermediate Court of Appeal.

I have known Judge Nakamura for almost 20 years. As an Assistant United States Attorney, Judge Nakamura was an outstanding trial prosecutor in complex white collar investigations. He handled numerous high profile and highly publicized cases for this Office, and always did so with the utmost professionalism and preparation. Prior to his departure from the U.S. Attorney's Office, he handled the prosecution of the Sukamto Sia bankruptcy fraud case, which contained hundreds of documents. His organizational style and work ethic allowed him to get on top of this case quickly and this was the major reason for the Defendant's conviction in the case. This example of excellence was why so many federal trial attorneys sought out Judge Nakamura's advice on potential issues facing them in their respective cases.

Additionally, Judge Nakamura was our Appellate Attorney in the U.S. Attorney's Office. He excelled in the appellate arena as well, due to his tremendous grasp of legal issues and current case law. His knowledge of appellate cases nationwide was above and beyond the knowledge of many attorneys and he was known in the Justice Department and across our nation for his appellate work and results. This command of legal knowledge and reasoning no doubt helped him in reviewing our Office's legal briefs, issue spotting, and in his many oral arguments before the Ninth Circuit U.S. Court of Appeals. I know for a fact that Judge Nakamura was well respected for his appellate work and his dignity and integrity with appellate matters were beyond question.

Senator Brian Taniguchi

August 6, 2009

Page 2

For these and many more reasons, I have no hesitancy in voicing my strong support for Judge Nakamura's nomination. He was one of the best and well rounded Assistant U.S. Attorneys in this Office, and our loss of his experience, talent and legal expertise to the State Intermediate Court of Appeal was a big loss for us in 2004. However, I know that the State of Hawaii has gained tremendously from Judge Nakamura's presence and leadership on the Intermediate Court. There is no doubt in my mind that he is the right person for the position of Chief Judge.

I respectfully urge your confirmation of Judge Nakamura. He is an important asset to our Bench and he will continue to be a benefit to our State well into our future.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward H. Kubo, Jr.", written in a cursive style.

Edward H. Kubo, Jr.  
United States Attorney  
District of Hawaii



**FEDERAL PUBLIC DEFENDER**  
District of Hawaii

Peter C. Wolff, Jr.  
Federal Public Defender

300 Ala Moana Boulevard, Suite 7-104  
Honolulu, Hawaii 96850-5269

(808) 541-2521 ♦ Facsimile (808) 541-3545 ♦ Toll free (877) 541-2521

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July 27, 2009

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

VIA FAX TO # 808-586-6461

**Re: Craig H. Nakamura -- Nominee for Chief Judge  
Intermediate Court of Appeals**

Dear Senator Taniguchi:

I am writing to express my view that Craig H. Nakamura would make an excellent Chief Judge of the Intermediate Court of Appeals. I have known Mr. Nakamura professionally for many years, principally during the time he was an Assistant United States Attorney in the District of Hawaii and before his appointment to the bench.

Mr. Nakamura is a graduate of the Harvard Law School and began his legal career by clerking for the Honorable Herbert Choy, then a judge of the United States Court of Appeals for the Ninth Circuit. Following his clerkship, Mr. Nakamura worked in civil litigation with the Goodsell Anderson law firm. In 1986, Mr. Nakamura was appointed as an Assistant United States Attorney, and he worked in that office until his appointment as an Associate Judge of the Intermediate Court of Appeals. Mr. Nakamura's career demonstrates his commitment to and long record of public service.

Mr. Nakamura is level-headed and has good judgment. As an Assistant United States Attorney he earned a well-respected reputation for integrity and fairness. He demonstrated the ability to grasp the essence of a legal matter and analyze it properly. When he was first nominated as an Associate Judge of the Intermediate Court of Appeals, I expressed my view that Mr. Nakamura's background and personal traits would translate into him becoming a very effective appellate judge. I think this has turned out to be the case.

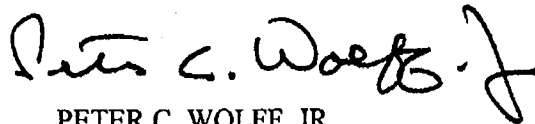
Senator Brian T. Taniguchi, Chair  
Judiciary and Government Operations Committee  
July 27, 2009  
Page 2

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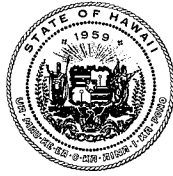
Mr. Nakamura exhibits all of the personal qualities that indicate that he would make an excellent Chief Judge. He possesses an appropriate judicial temperament. And, I am confident that if confirmed as the Chief Judge of the Intermediate Court of Appeals, he would be an effective and fair administrator of that court. In short, Judge Nakamura is an excellent nominee as Chief Judge and I urge the Senate to confirm him.

If I can provide any other information to assist you in making your confirmation decision, please feel free to contact me.

Very truly yours,



PETER C. WOLFF, JR.  
Federal Public Defender  
District of Hawaii



## HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813

August 14, 2009

To: Senator Brian T. Taniguchi, Chair  
Senator Shan S. Tsutsui, Vice-Chair  
Members of the Senate Committee on Judiciary and Government Operations

Re: Support for the Nomination of Craig H. Nakamura as Chief Judge, Hawaii Intermediate Court of Appeals

I am writing in strong support of Craig H. Nakamura's nomination as Chief Judge of the Hawaii Intermediate Court of Appeals ("ICA"). As a member of the Hawaii State Bar Association, as well as in my capacity as a State Representative, and former Vice Chair of the House Judiciary Committee, I am pleased to convey my endorsement of Mr. Nakamura's nomination.

Judge Nakamura's qualifications, knowledge and professionalism are well demonstrated through his past five years on the bench as an associate judge of the ICA. In particular, his experience there will serve him well as Chief Judge because he will have the critical understanding of the appellate courts' role in upholding justice and in fairly and faithfully applying the law and its policies.

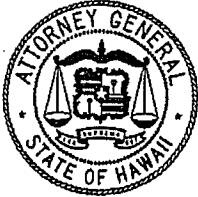
The high level of Judge Nakamura's abilities and skills are not only realized through his reasoned decisions on the ICA, but can also be seen through his prior experience before he ever served on the bench. As an assistant United States attorney, he focused on prosecuting complex fraudulent schemes, tax offenses, and other forms of public corruption. He also worked in the private sector, practicing with the distinguished law firm of Goodsill, Anderson, Quinn and Stifel. This prior experience served him well, but more importantly, served our judicial system well, when dealing in either criminal or civil matters before the court.

Finally, I have been especially impressed with his service as an Appellate Advocacy adjunct professor at the University of Hawaii William S. Richardson School of Law. He dedicated multitudes of hours to law students, helping to improve their education, which is even more admirable when considering the "token" compensation. In fact, I was extremely fortunate to have been one of his students, and found his willingness and dedication, along with his practical knowledge and insights, to be one of the best academic experiences at law school.

Therefore, I am pleased to extend my support for Judge Nakamura as Chief Judge of the Hawaii Intermediate Court of Appeals and wholeheartedly recommend him for your consideration. Thank you.

Sincerely,

Blake K. Oshiro  
State Representative



## TESTIMONY OF THE STATE ATTORNEY GENERAL TWENTY-FIFTH LEGISLATURE, 2009

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**ON THE FOLLOWING MEASURE:**

G. M. NO. 1, Submitting for consideration and confirmation to the Intermediate Court of Appeals, Chief Judge, Gubernatorial Nominee, CRAIG H. NAKAMURA for a term of ten years.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

**DATE:** Monday, August 17, 2009 **TIME:** 10:00 AM

**LOCATION:** State Capitol, Room 229

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

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Chair Taniguchi and Members of the Committee:

I strongly support the nomination of Craig H. Nakamura as Chief Judge of the Intermediate Court of Appeals.

I have known Judge Nakamura for almost twenty-five years. We worked together as Assistant United States Attorneys for several years, and I was also very familiar with his work while I was in private practice. I believe he is exceptionally well qualified to serve as Chief Judge.

Judge Namakura is a highly competent jurist with extensive knowledge of the law. He has a sterling educational background, and his many years of experience as an appellate judge, federal prosecutor, and attorney in private practice have given him a thorough understanding of the judicial system.

Judge Nakamura has an outstanding reputation for integrity and fairness. He has an excellent judicial temperament and consistently demonstrates sound judgment and common sense. He is well-respected for his intelligence, diligence, compassion, and high ethical standards.

In addition to his other responsibilities, he has demonstrated a strong commitment to fostering excellence in Hawaii's legal community

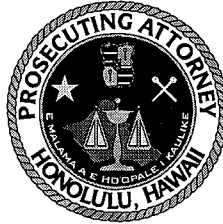
through teaching and mentoring law students at the University of Hawaii.

I believe that Judge Nakamura's qualifications are of the very highest caliber. He has served with distinction on the Intermediate Court of Appeals, and I believe he is exceptionally well suited to continue serving the people of Hawaii as Chief Judge.

I respectfully urge the Committee to recommend confirmation.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
CITY AND COUNTY OF HONOLULU

ALII PLACE  
1060 RICHARDS STREET, HONOLULU, HAWAII 96813  
AREA CODE 808 • 527-6494



PETER B. CARLISLE  
PROSECUTING ATTORNEY

DOUGLAS S. CHIN  
FIRST DEPUTY  
PROSECUTING ATTORNEY

**THE HONORABLE BRIAN TANIGUCHI, CHAIR**  
**SENATE JUDICIARY AND GOVERNMENT OPERATIONS COMMITTEE**  
**Twenty-fifth State Legislature**  
**Second Special Session of 2009**  
**State of Hawai`i**

August 17, 2009

**RE: G.M. 1; APPOINTMENT OF CRAIG NAKAMURA TO THE INTERMEDIATE  
COURT OF APPEALS, CHIEF JUDGE**

Chair Taniguchi, and members of the Senate Committee on Judiciary and Government Operations Committee, the Department of the Prosecuting Attorney submits the following testimony in strong support of the appointment of Associate Judge Craig Nakamura to the position of Chief Judge of the Intermediate Court of Appeals.

For the past five years, Judge Nakamura has ably served as an Associate Judge of the Intermediate Court of Appeals. During this period of time, he has demonstrated a comprehensive grasp of the law and a fair and balanced application of its principles. His approach to the issues has been eminently reasonable and free from an academic perspective which does not take into account the realities which law enforcement officers must face on a daily basis.

Judge Nakamura's ability to view issues objectively with a common sense perspective was evident during his participation on the 2005 Hawaii Penal Code Review Committee where he chaired the subcommittee tasked with proposing amendments to the sentencing provisions of the Hawaii Penal Code. Despite dealing with complex legal issues and competing viewpoints by various task force members, Judge Nakamura was able to work collaboratively with all the stakeholders and create consensus. We believe this speaks well for his ability to lead the Intermediate Court of Appeals.

For these reasons, we strongly support the nomination of Judge Nakamura to the position of Chief Judge of the Intermediate Court of Appeals.



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

**THE HONORABLE CRAIG H. NAKAMURA  
CHIEF JUDGE, INTERMEDIATE COURT APPEALS**

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

Hearing: Monday, August 17, 2009, at 10:00 a.m.  
Conference Room 229  
State Capitol

The Board of Directors of the Hawaii State Bar Association appreciates the opportunity to comment on the qualifications of The Honorable Craig H. Nakamura for the position of Chief 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."

The HSBA Board has recently reviewed the policies and procedures utilized in developing its positions on judicial nominees and has included in its procedures the use of a standing subcommittee of HSBA Board members 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. These revised procedures are available for review on the HSBA website at <HSBA.org>.

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 The Honorable Craig H. Nakamura to be qualified for the position of Chief Judge, Intermediate Court of Appeals.

**OFFICERS**

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PRESENTATION OF FLORENCE NAKAKUNI

TO THE SENATE COMMITTEE ON JUDICIARY  
AND GOVERNMENT OPERATIONS

TWENTY-FIFTH STATE LEGISLATURE  
Second Special Session of 2009

Hearing on Monday, August 17, 2009  
10:00 a.m.

TESTIMONY ON GOVERNOR'S MESSAGE 1  
Nomination of Craig H. Nakamura to the position of  
Chief Judge, Intermediate Court of Appeals

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

My name is Florence Nakakuni. I am writing in support of Judge Craig Nakamura for the position of Chief Judge of the Intermediate Court of Appeals. I have known Craig Nakamura since 1986 when he joined the U.S. Attorney's Office as an Assistant U.S. Attorney. I worked with Judge Nakamura and saw him on an almost-daily basis for 18 years, until 2004 when he was appointed Associate Judge of the Intermediate Court of Appeals.

Judge Nakamura is an outstanding attorney and jurist who believes in adherence to the law, equality before the law and the applicability of due process. As an advocate for the United States, he understood that his job was to do justice. He was extremely capable, hard-working, and an effective advocate. He was always conscious of his oath to defend and protect the Constitution. He is a brilliant lawyer and I and others in the office frequently sought his advice and he willingly shared his vast knowledge of the law with us. At the same time, he was always humble and well-liked by the attorneys and the non-attorney staff. As an Assistant U.S. Attorney, Judge Nakamura was highly regarded by the many law enforcement agencies we work with, the defense bar and the federal bench. During his career as an Assistant U.S. Attorney, he handled a broad spectrum of criminal cases to include environmental, fraud and other complex financial cases. He was also in charge of reviewing all criminal and civil appellate briefs filed by our office. As the Appeals Coordinator, he worked with attorneys from the appellate section of the Department of Justice in Washington, D.C. and throughout the country to ensure uniformity in the positions taken by federal prosecutors at the appellate level. It was a natural progression for Craig Nakamura to be appointed, in 2004, to the Intermediate Court of Appeals given his vast legal knowledge, background and temperament.

I have followed his career at the Intermediate Court of Appeals by way of the summaries contained in the Hawaii Bar Journal. I have the distinct impression that the backlog complained of in 2004 no longer exists and I am aware that the Court holds regular oral arguments which benefit the lawyers and the public. I believe that Judge Nakamura, having been on the Court for 5 years as an Associate Justice, is well-suited to be the next Chief Judge of the



Intermediate Court of Appeals. I know that Judge Nakamura will continue to author opinions which are legally sound, grounded in fairness and justice. He is a highly ethical person of tremendous integrity. I believe that his appointment as Chief Judge would reinforce the credibility and integrity of the Intermediate Court of Appeals. I strongly encourage your support of Judge Nakamura on his nomination to be the Chief Judge of the Intermediate Court of Appeals.

July 24, 2009

SENT VIA EMAIL AND REGULAR MAIL

Senator Brian T. Taniguchi  
Chair of the Committee on Judiciary and Governmental Operations  
Hawaii State Capitol  
415 South Beretania Street, Room 219  
Honolulu, Hawaii 96813

RE: Nomination for Chief Judge of the Intermediate Court of Appeals – Craig H. Nakamura

Dear Senator Taniguchi,

I recently read about Governor Lingle's nomination of Craig H. Nakamura for the Chief Judge of the Intermediate Court of Appeals and hereby present my support.

As a business owner, who is responsible for service to our clients and employees and as an administrator and general manager with operations, accounting and human resources background, from a strategic planning perspective, The Honorable Craig H. Nakamura, who has served our State since April 8, 2004 as associate judge, Intermediate Court of Appeals, possesses the most unique experience also at the federal level as well as in academia and private practice: assistant United States attorney; adjunct professor, University of Hawai'i William S. Richardson School of Law; associate, Goodwill Anderson Quinn & Stifel; law clerk, Judge Herbert Choy, U.S. Court of Appeals, Ninth Circuit.

Personally, I have known Craig since elementary school at Punahou and have kept in touch with him over the years. Craig has always been a gracious and thoughtful person who always listens well and then speaks after due consideration. He is a devoted family man who always calmly nurtures as well as disciplines his young children. Craig is the one that encouraged several of his friends, including me, to exercise regularly and run the Honolulu Marathon back in 2006. He always reminds us to follow the traffic signals before crossing (running through) the street. Although he was the organizer, he manages to run with us only occasionally, otherwise he plays basketball for exercise and he often declines to join our runs due to family or work duties (long hours). He also makes the time to help a fellow classmate who is partially disabled due to stroke.

In summary, Craig is a well-rounded, broad-minded, level-headed, experienced and courteous person whom I believe can be the 'manager' (of sorts) of the associate judges to the extent necessary and continue to perform as an independent judge in his own right. I am confident he will be an excellent Chief Judge.

Please advise should you have any questions. My direct line is 808-441-8611 and my email address is [akomori@pacadmin.com](mailto:akomori@pacadmin.com) should you need to contact me. Thank you for your kind consideration.

Sincerely



Alton H. Komori, MHRM  
Vice President and COO/CFO, Co-Owner

✓

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**From:** Jon Cheng [jon@pcfvirtual.com]  
**Sent:** Saturday, July 25, 2009 9:38 PM  
**To:** JGO Testimony  
**Subject:** I fully support the nomination of Craig H. Nakamura for the position of Chief Judge, Intermediate Court of Appeals

Dear Senator Brian T. Taniguchi,

As the Chair of the Committee on Judiciary and Government Operations, your responsibilities encompass the selection of highly qualified, honest, trustworthy, and well-educated intellectuals. I believe that Craig H. Nakamura is the right choice for Chief Judge, Intermediate Court of Appeals. Fearless, reverent and well-considered are some of his personal attributes that I have been witness to over the course of the last 37 years. Craig is a rare individual who is never influenced by the opinions of others. He likes to find answers on his own. He greatly respects the rights of all and recognizes the differences of opinions among many. Level-headed and even-tempered, Craig can be a balancing and calming force in any storm.

There are not many individuals who have earned this level of recognition and trust from a good number of discerning people including myself.

Please accept this testimony to support the nomination of Craig H. Nakamura for the position of Chief Judge, Intermediate Court of Appeals.

Aloha,

Jon Cheng

Managing Member of the following national and international corporations:

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July 24, 2009

Senator Brian T. Taniguchi  
Chair of the Committee on Judiciary  
& Government Operations  
Hawaii State Capitol, Room 219  
415 South Beretania St.  
Honolulu, HI 96813

Re: In support of the nomination of Craig H. Nakamura for the  
position of Chief Judge, Intermediate Court of Appeals

Dear Senator Taniguchi:

I am writing to enthusiastically support the nomination of Craig H. Nakamura for the position of Chief Judge of the Intermediate Court of Appeals for the State of Hawaii.

I have known Craig for most of my life, starting from preschool in the 1960's and continuing to the present day. Craig is eminently qualified to serve as the Chief Judge for the following reasons.

First, he is one of the smartest people I know, and his analytical abilities, perceptive mind and leadership qualities will serve the court well. As you can see from his education, training and legal opinions, Craig has a first-rate legal mind. Craig's easy-going manner belies the fact that he is also an incredibly hardworking and driven individual who relentlessly will search for the correct answer. While I have known Craig as a friend for all these years, I also had the opportunity to work with him when we were both summer associates at the firm of Goodsill Anderson Quinn & Stifel in 1980. Craig was invariably the last one to leave the law library in the evening and would often be there on a Sunday afternoon. This is despite the fact that Craig has many other interests in life besides the law (he was, for example, a talented athlete in high school). Craig was never satisfied with superficial analyses and always wanted to get at the heart of the issue, no matter how many hours that sometimes took.

Second, I would add that Craig, aside from his intellectual brilliance, also has a deep understanding and appreciation for what makes Hawaii a very special place. He was born and raised here, and while he has had many opportunities to study and work elsewhere, he has always chosen to live here whenever possible. He is certainly not an ivory tower academic, despite all his scholarly accomplishments, and he will see, and

Senator Brian Taniguchi

July 24, 2009

Page 2

appropriately consider, all sides of an issue, including the practical consequences of a decision, and reach the right conclusion.

All in all, I cannot think of anyone who is better qualified to become the next Chief Judge of the Intermediate Court of Appeals than Craig Nakamura.

If you have any questions regarding the foregoing, please do not hesitate to contact me at 564-1300 or by email at [markf@servco.com](mailto:markf@servco.com).

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark H. Fukunaga', with a long horizontal flourish extending to the right.

Mark H. Fukunaga  
Chairman & CEO

---

**From:** Pat Cheng [patricecheng@gmail.com]  
**Sent:** Sunday, July 26, 2009 8:18 PM  
**To:** JGO Testimony  
**Subject:** Support for Nomination of Craig H. Nakamura for Chief Judge, Intermediate Court of Appeals

To: Senator Brian T. Taniguchi, Chair of the Committee on Judiciary and Government Operations:

This forwards my support for the nomination of Craig H. Nakamura for the position of Chief Judge, Intermediate Court of Appeals. I have known Craig for over 30 years. He has an excellent educational and legal background and is well qualified for this respected appointment. He holds himself to the highest standards and will act fair and responsible in this role.

Please let me know if there is any other information I may provide to demonstrate my support of Craig H. Nakamura for Chief Judge, Intermediate Court of Appeals.

Aloha,

Patrice A. Cheng  
Sr. Executive Immunization Account Manager  
GlaxoSmithKline  
1946 Bertram Street  
Honolulu, HI 96816

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

Dear Senator Taniguchi,

Re: Support of the Nomination of Craig H. Nakamura for the position of Chief Judge,  
Intermediate Court of Appeals

I would like to provide testimony in support of the referenced nomination of Craig Nakamura, who I have had the pleasure of working with for a number of years.

After spending six years with the State Judiciary, I then moved to the Federal Judiciary where I began working with Judge Nakamura who was an Assistant U.S. Attorney (AUSA). Judge Nakamura instantly became my favorite AUSA because he was smart. His remarks in and out of the courtroom were always thoughtful, with purpose and mindful. He always did his "homework" before entering the courtroom. He reviewed the case documents and asked a number of questions which suggested he was looking at all the issues from different perspectives. In addition, his professional demeanor in and out of courtroom was noticed by the Federal judges, courtroom personnel, other attorneys, defendants/offenders and related parties. I know that he was well respected with all the Federal Judges and Magistrates, and the defense counsels we worked with.

I retired from the U.S. Courts after 30 years in the combined fields as a Probation/Parole/Pretrial Services Officer. Without a doubt, the most memorable case during my career involved the revocation of a defendant convicted of Fraud. Judge Nakamura represented me in these proceedings. Although the case was not a high profile one or expected to get much time upon revocation, Judge Nakamura nevertheless devoted the needed attention to help me prepare for this revocation. He issued subpoenas to financial institutions and assisted me in obtaining evidence which lead to the defendant being revoked and receiving the maximum sentence.

I have absolutely no reservations in support of Judge Nakamura's nomination. Based on past experience, I can tell you that besides being smart, Judge Nakamura has demonstrated an ability to be fair, thorough, having an excellent temperament and is simply an overall good person.

Should you have any questions or if I could provide any additional information, please feel to contact me. I am currently the Grants Manager at the Honolulu Fire Department and can be reached at 808-723-7188 or at [chall@honolulu.gov](mailto:chall@honolulu.gov).

Sincerely,

Carolyn L.K. Hall

The Honorable Brian T. Taniguchi  
10<sup>th</sup> Senatorial District, Hawaii State Legislature  
Chair, Judiciary and Government Operations Committee  
Hawaii State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawaii 96813

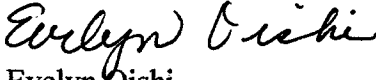
Dear Senator Taniguchi:

I am writing to support the confirmation of Craig Hiroyuki Nakamura as chief judge of the Intermediate Court of Appeals and to acknowledge the significance of Senate confirmation as a final review of the Judicial Selection Process. Thank you for taking the time to read my letter.

On a personal level, I know Craig to be a well loved, educated son of very dear friends of almost sixty years. I also speak as a former probation officer (Hawaii State Judiciary) who came to appreciate the responsible, professional, smart, disciplined, clear thinking and humane attorneys who appeared before the court. Equally impressive were judges who handed down decisions that were reasoned and based on the law and information presented by the attorneys. Craig reflects all these qualities and skills.

But more than the above, Craig has throughout his life lived with a sense of direction, persistence, hard work, integrity and a commitment to public service which has led him to become who he is today: a respected and loyal son, father, husband, friend and an American in a position to be chief judge of the Intermediate Court of Appeals of the State of Hawaii.

Respectfully,

  
Evelyn Oishi

July 26, 2009  
1549D Palolo Avenue  
Honolulu, Hawaii 96816



---

**From:** on behalf of JGO Testimony  
**Subject:** FW: Hon. Craig Nakamura

---

**From:** Sorenson, Ken (USAHI) [mailto:Ken.Sorenson@usdoj.gov]  
**Sent:** Monday, July 27, 2009 2:00 PM  
**To:** JGO Testimony  
**Subject:** Hon. Craig Nakamura

Hon. Brian T. Taniguchi

Chair, Senate Judiciary and Government Operations Committee

Senator Taniguchi:

I am writing you in support of Judge Craig Nakamura regarding his nomination to the position of Chief Judge of the Intermediate Court of Appeals. I have known Judge Nakamura since 1995, when I began working with him as an Assistant U.S. Attorney in the U.S. Attorney's Office here in Honolulu. As I am sure you are aware, Judge Nakamura's legal intellect is beyond reproach. He is an outstanding jurist, and was an excellent trial and appellate attorney.

But it is Judge Nakamura's character, demeanor and temperament which suit him best for the position of the ICA's Chief Judge position. Craig is affable, supportive, egoless, and as even tempered a person as I have ever met. In my extensive dealings with Craig he has always remained professional, supportive and helpful. I view Craig as an outstanding choice who will build consensus and lead the Court with both wisdom and by example. Given my long history in working with Craig, I have no reservation in recommending him to serve as Chief Judge of the ICA. I respectfully request that you support Judge Nakamura and vote for his confirmation to the Chief Judge position.

If you have any further questions regarding Judge Nakamura, please do not hesitate to contact me.

(The opinions and positions are my own and do not represent the considered opinion of my employer, the United States Department of Justice.)

**Ken Sorenson**

Assistant United States Attorney

District of Hawaii

---

**United States Department of Justice**

United States Attorney's Office

PJKK Federal Building

300 Ala Moana Boulevard Room 6-100

Honolulu, Hawaii 96850

T: 808.440.9200

D: 808.440.9241

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[ken.sorenson@usdoj.gov](mailto:ken.sorenson@usdoj.gov)

✓  
July 26, 2009

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

REF: NOMINATION OF CRAIG H. NAKAMURA TO THE POSITION OF  
CHIEF JUDGE, INTERMEDIATE COURT OF APPEALS

Dear Senator Taniguchi,

This letter is to inform you that I fully support the nomination of Craig H. Nakamura to the position of Chief Judge, Intermediate Court of Appeals. I have known Craig for over 40 years, and he is a very humble individual who has demonstrated honesty, integrity and most of all, respect for others.

Craig is a very down-to-earth person, who relates to many people throughout the community. As a highly respected individual, he is often approached by individuals seeking his opinion on business as well as personal matters. Craig is a good listener, asks objective questions, and is able to offer keen insight to relevant issues, without letting personal emotions interfere with his decision-making skills.

Mr. Nakamura is humble, never talks negatively of others, and is able to effectively communicate with people at all social levels. His disposition is always positive, and he does not hesitate to help others in need. Craig is also a loving father of three children, who efficiently manages his time between long hours at work, and spending quality time with his family.

As a former athlete in high school, Craig still maintains his spirit of competitiveness by continuing to jog with friends and by playing organized basketball. He has kept himself in very good shape, both mentally and physically.

I am proud to have known Craig all these years, and am confident that his character, intelligence and hard work ethics as an associate judge on the Intermediate Court of Appeals and previously as an assistant United States attorney will definitely benefit the community of Hawaii. I wholeheartedly support his nomination to the vacancy for the Chief Judge of the Intermediate Court of Appeals.

If there are any questions or concerns, please do not hesitate to contact me at (808)836-6434 or (808)679-7312.

Sincerely,



Bert D. Takushi  
Airport Operations Duty Manager  
State of Hawaii, DOTA  
Honolulu International Airport

# Kenneth N.M. Sumida, M.D.

## HEMATOLOGY AND ONCOLOGY

KUAKINI MEDICAL PLAZA, SUITE 412 • 321 N. KUAKINI STREET • HONOLULU, HAWAII 96817 • PHONE: (808) 531-8521  
QUEEN'S PHYSICIANS' OFFICE BUILDING II, SUITE 307 • 1329 LUSITANA STREET • HONOLULU, HAWAII 96813 • PHONE (808) 524-6115

July 26, 2009

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

Re: Chief Judge of the Intermediate Court of Appeals nominee, Craig Nakamura

Dear Senator Taniguchi,

It is my pleasure and honor to address you with a letter of support for Craig Nakamura. I have known Craig for over 40 years, having befriended him while attending grade school. We have remained very good friends and are in constant contact in spite of our respective careers and family life. In fact, we are like family. As such, my support is mostly based on social interactions but also based on discussions that we commonly have regarding various aspects of society including, on occasion, legal issues. As expected, he maintains a very ethical approach, respecting confidential issues. Also as one would expect, our friendship developed out of and is maintained by common values and beliefs. He is open minded and his logical thinking has proven to be refreshing and stimulating.

Craig has always impressed me as an honest and trustworthy person. He is open with his opinions but exhibits thoughtful discretion. He is probably one of the most intelligent people that I have met over the course of my education and career. As you have probably surmised after reviewing his background, his credentials reflect a highly qualified individual with outstanding education obtained at Harvard University and as a law clerk for Judge Herbert Choy in the 9<sup>th</sup> Circuit Court of Appeals, followed by broad experiences in private practice with one of the most prestigious law firms in town, in the U.S. Attorney's office, as an adjunct professor at the Law School and his most recent passion, the Intermediate Court of Appeals. His decision to leave the private sector and devote his career to public service was one that he undertook many years ago with enthusiasm and careful thought and he displayed an altruism and academic interest that I admired and still admire. I have fond memories of our discussions as he weighed his options and decided to proceed with his career in public service and education. I have always admired his sense of right and wrong, his deep sense of commitment to our society and his desire to be the best one could ask for. Even recently, I joked about his unusually long hours, 7 days a week as a "State employee". We had gathered for a run on a Sunday morning and he informed me that he needed to stop early to get back to work. I should qualify that the joke came from a State employee as I am also employed by the University of Hawaii and tend to burn the late candle.

His response was that he felt the need to do the work, in detail, with a sense of pride in a job well done. His desire to be outstanding continues to burn.

What is also remarkable is his commitment to family and friends. He somehow finds time to assist family members in need as well as one of our close disabled friends. A number of people count him as their dependable resource. His family life is solid, his children well behaved. I think that he has provided them with security and guidance that speaks for his own highly ethical and moral beliefs.

In summary, I may be biased by our friendship, but this bias reflects my own values, common to the main stream. However, my perspective reflects my opportunity to work with, to know and befriend many individuals in all walks of life. Craig is what I consider, very simply, a good person. He is well organized with strong leadership ability. He is highly respected by friends and associates. I believe that his abilities will provide the State of Hawaii with an excellent choice as Chief Judge. I hope that you will support him.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Sumida". The signature is fluid and cursive, with a large loop at the end.

Kenneth N. M. Sumida, MD, FACP

Assistant Professor of Medicine  
University of Hawaii, John A. Burns School of Medicine

Associate Program Director  
University of Hawaii Internal Medicine Residency Program

Director of Medical Education  
Kuakini Medical Center

✓

July 28, 2009

Senator Brian T. Taniguchi  
Hawaii State Capitol Rm 219  
415 South Beretania St.  
Honolulu, HI 96813

Dear Senator Taniguchi,

It was with great pleasure for me to read of the nomination of Craig H. Nakamura to the position of Chief Justice judge to the Intermediate Court of Appeals.

I have known Craig since he was four years old. I have watched him grow from a young boy to an intelligent person of honesty, great integrity, and very capable in whatever task presented to him.

I attended the football game when Craig caught an interception to help win the game his team was behind in between Iolani and Punahou schools. It was announced that same day he was selected a semifinalist for the National Merit Scholar award. It was difficult to say what pleased him more.

After college he was admitted to Harvard Law School and enjoyed a successful career as a federal prosecutor before being appointed associate judge of the State Intermediate Court of Appeals. I assume he has done a good job as usual and is now being nominated for this new position. I highly recommend him and hope he will be given every consideration for this nomination.

I appreciate your help for him at this time.

Sincerely yours,



Mrs. Hope Yee Lee  
1817-A Wilder Ave  
Honolulu, HI 96822

**Daniel Bent**  
PH-A7  
2101 Nuuanu Ave.  
Honolulu, Hawaii 96817  
Ph: 808/548-0080

SENATE COMMITTEE ON THE JUDICIARY AND GOVERNMENT RELATIONS  
Senator Brian Taniguchi, Chair  
Senator Dwight Takamini, Vice Chair

HEARING DATE: August 17, 2009  
TIME: 10:00  
PLACE: Senate Conference Room 219, State Capitol

Via e-mail to: [jgotestimony@capitol.hawaii.gov](mailto:jgotestimony@capitol.hawaii.gov)

**Testimony of Daniel Bent in support of the confirmation of The Honorable Craig Nakamura as Chief Judge, Intermediate Court of Appeals**

Chairman Taniguchi and Members of the Committee On Judiciary and Government Relations. It is my pleasure to submit this testimony in support of Associate Judge Craig Nakamura as the nominee as Chief Judge of the Intermediate Court of Appeals (ICA).

Craig has demonstrated since becoming an Associate Judge on the IAC in 2004 that he is an intelligent, careful, balanced and thoughtful judge with outstanding professional, judicial and academic credentials (Craig is a cum laude graduate of Harvard Law School and graduate of the University of Hawaii in Economics, "with distinction"). He had an enviable record as an advocate, before he joined the ICA as an Associate Judge. As an advocate, as an Assistant United States Attorney, he represented the federal government in federal cases in sophisticated fraud and environmental and other crimes before the United States District Court for the District of Hawaii as well as the Ninth Circuit U.S. Court of Appeals. Prior to that Craig was an attorney with the Goodsell Anderson Quinn and Stifel firm. Craig is a clear thinker and writer in addressing complex legal and factual issues.

Craig's integrity is unquestioned. In the seven years that we worked closely together I had full confidence in Craig's integrity and moral courage such that I know him to do what is right directly and without question. My confidence in him continues.

Craig shoots straight and has the confidence of those around him that he always will whether anyone is looking.

I have the highest opinion of Craig's legal ability and experience. Before I hired him as an Assistant United States Attorney in 1986, as was my practice before hiring any attorney, I personally spoke to at least fifteen people who had worked with them and knew their work well. Those that I spoke to about Craig included Ninth Circuit Judge Herb Choy, for whom Craig had been a law clerk, as well as his colleagues at the law Goodsill firm and others. All had exceptionally high praise for Craig, his work ethic and the quality of his work. As a result of that vetting process, the District of Hawaii secured the services of an exceptional attorney who then continued to distinguish himself and his office through his work. Craig then handled difficult and complex cases and helped establish favorable precedents in cases in the Ninth Circuit Court of Appeals that have been adopted by other federal courts around the United States. In that capacity Craig routinely performed with a very high level of skill and ability in handling cases that have involved some of the most complex areas of federal law. Craig also reached out and become involved in bar activities having served on the board of the Hawaii Bar Association and for over ten years as a member of the Hearing Committee for the Disciplinary Board of the Hawaii Supreme Court. Craig also was the Appellate Coordinator for federal cases going before the Ninth Circuit.

Since 2004, Craig has served on the Intermediate Court of Appeals as an Associate Justice. He has developed a well-deserved reputation as a fair and impartial judge who thoroughly and carefully reviews and decides the cases before him. That experience and his prior experience as a trial and appellate advocate as well as his depth of personal skills make him an excellent appointment as Chief Judge of the Intermediate Court of Appeals.

For these reasons I submit that Craig Nakamura should be confirmed by the Senate as Chief Judge of the Intermediate Court of Appeals. I am pleased to have worked with him, to know him and to recommend him to this committee and the Senate for confirmation.



SHANLYN A. S. PARK

965 Maunawili Circle  
Kailua, Hawaii 96734

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July 28, 2009

Brian T. Taniguchi, Committee Chair  
Senate Committee on Judiciary and Labor  
Hawaii State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawaii 96813

**VIA FAX - 586-6461**  
**No Hard Copy to Follow**

RE: GM 1 - Gubernatorial Nominee Craig H. Nakamura,  
Chief Judge, Intermediate Court of Appeals, State of Hawaii  
Hearing: August 17, 2009, 10:00 a.m.

Dear Committee Members:

I am writing to express my views concerning Craig H. Nakamura, applicant for Chief Judge of the Intermediate Court of Appeals. I have known Mr. Nakamura personally for approximately 15 years, and I believe that if confirmed, he will make an excellent Appellate Judge.

Mr. Nakamura has an impeccable reputation in our community for his many talents and abilities, including his competence and his civility. In my opinion, Mr. Nakamura possesses a sound and mature appreciation of the importance of mediation and common sense and would bring these qualities to bear as the Chief Judge of the Intermediate Court of Appeals.

In addition, Mr. Nakamura has an extensive background in all aspects of law, both civil and criminal. Perhaps equally important, Mr. Nakamura is level headed, has excellent judgment, and a strong sense of fairness. He has the ability to see to the heart of the matter and analyze it properly.

Finally, Mr. Nakamura is a person of honesty and integrity. He has the moral courage necessary to be an effective Appellate Judge. My view is that Mr. Nakamura's background and his personal traits would clearly translate into him being a very effective Chief Judge of the Intermediate Court of Appeals.

If I can provide any further information to assist you in making your confirmation decision, please do not hesitate to contact me.

Sincerely,

  
SHANLYN A. S. PARK

# APPRAISAL HAWAII INC.

Real Estate Appraisers & Consultants

Craig K.W. Leong, MAI  
3757 Kaimuki Avenue, Honolulu, Hawaii 96816  
Tel (808) 735-4100; Fax (808) 735-9469  
E-Mail: YUSA @ hawaii . rr. com

July 24, 2009

E-Mail: [jgotestimony@capitol.hawaii.gov](mailto:jgotestimony@capitol.hawaii.gov)

Senator Brian T. Taniguchi  
Hawaii State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: Confirmation, Craig H. Nakamura,  
Chief Judge, Intermediate Court of Appeals, State of Hawaii.

Dear Senator Taniguchi,

As a former deputy prosecuting attorney, current real estate appraiser, broker and friend of Craig's for over 35 years, I wish to express my wholehearted support for Craig's confirmation as Chief Judge of the Intermediate Court of Appeals, State of Hawaii.

Over 20 years ago, while Craig was an Assistant U.S. Attorney, and while I was a Deputy Prosecuting Attorney for the City and County of Honolulu, we exchanged many thoughts and trial experiences related to the prosecution and enforcement of federal and state laws. We shared these exchanges while running and preparing for a number of Honolulu Marathons. During such exchanges Craig shared his clear understanding and commitment to balance victims' rights and states' health and safety interests against the appreciation that defendants' make mistakes and that justice require compassion, understanding, and that our shared humanity extends to those who may be accused of even heinous crimes.

Craig's tremendous abilities were not only evidenced by the number of tough but successful criminal convictions, but by first hand reports shared by fellow Richardson School of Law classmates who worked with Craig as Assistant U.S. Attorneys, Federal Public Defenders, and private counsels. All shared their mutual and sincere respect for Craig's inherent and innate sense of fairness, intelligence, humility, and hard work.

Notwithstanding the many long hours that Craig dedicated to his service as an Assistant U.S. Attorney and as a current member of the Intermediate Court of Appeals, (Craig continues to engage in six to seven day work weeks) Craig is a devoted and loving father. His wife Lisa is a former special needs educator and a current special needs manager with the Hawaii State Department of Education. Craig and Lisa nurture and provide for three (3) wonderful children that include Whitney (8<sup>th</sup> grade, Maryknoll School, volleyball); Jordan (3<sup>rd</sup> grade, Maryknoll School, basketball and soccer); and Mia (pre-school, soccer).

With respect and sincerity I urge the confirmation of Craig Nakamura to Chief Judge of the Intermediate Court of Appeals.

Aloha,



Craig K.W. Leong, Esq., MAI, R

---

**From:** CURTBONES@aol.com  
**Sent:** Monday, August 10, 2009 9:45 PM  
**To:** JGO Testimony  
**Subject:** (no subject)

Hearing Date: August 17, 2009

Senate Committee on Judiciary and Government Operations

GM 1--Craig H. Nakamura , Chief Judge , Intermediate Court of Appeals, State of Hawaii

Chair Taniguchi and Members of the Committee:

My name is Curtis W. H. Tom DDS and I am submitting testimony in support of the confirmation of Craig H. Nakamura as Chief Judge of the Intermediate Court of Appeals. I have known Craig for a period of over 48 years. This is even longer than the period he has known one of his siblings and his wife. Over these years, I have gotten to know Craig on a personal and professional level.

Over these years Craig has been an inspiration to me and to many of our mutual friends. We have seen his diligence and intensity in his approach to his academic life in high school and college. While many of us would be enjoying ourselves socially during and after school hours, on many occasions Craig would be studying even if we tried to persuade him to join us. However Craig, always knew what his priorities were. Getting his job done!

In 1999 I suffered a stroke which has left me with a paralyzed left hand and arm. This has forced me to retire from my private practice in periodontics, as well as being an assistant professor in the U H School of Dental Hygiene.

Ever since my illness Craig has been there for me. We go walking to strengthen my left leg. We also attend U H football games so I am not bored at home. When we go to these games, Craig is usually the first one to push me into the stadium even if we are joined by other friends. Craig also sits with me in the end zone, foregoing better seats with a view, where our other friends sit.

On a professional level I know Craig puts in long hours being an associate judge on the Court of Appeals. I have called him long after normal working hours at his office during both the weekdays be it 7:30 pm or 8:00 pm and weekend hours. The reason for these calls were to ask Craig to help me with rides or errands such as marketing or shopping. Craig has never hesitated in helping me out even after a long day at work or when it takes time away from his family, who he loves a great deal. I've had to depend upon Craig since my mother passed away from a long term illness and my father has been placed in a nursing home.

therefore Senator Taniguchi and the others on this committee Craig has been a true friend indeed. I know Craig would be an excellent and impartial chief judge of the highest integrity and moral standing. Thank you for your time and effort in reading this letter. If any of you would like to contact me I can be reached at (808) 941-5142 (H) or 554-6161(C).

Sincerely Yours

Curtis W. H. Tom DDS

RACHEL MORIYAMA  
659 North Kalaheo Avenue  
Kailua, Hawaii 96734

August 11, 2009

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

Re: Hearing Date: August 17, 2009  
Committee on Judiciary and Government Operations

GM 1 -- Gubernatorial Nominee Craig H. Nakamura  
Chief Judge, Intermediate Court of Appeals, State  
of Hawaii

Dear Senator Taniguchi and Members of the Committee:

I am writing to express my unqualified support for the nomination of Craig H. Nakamura to serve as the Chief Judge of the Intermediate Court of Appeals, and I urge you to vote to confirm him for that position. I am an attorney licensed to practice law in the State of Hawaii since 1984, and I am writing this letter in my personal capacity as a bar member and private citizen of the State of Hawaii.

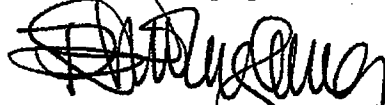
I had the pleasure of working with Craig from 1991 to 2004, at the United States Attorney's Office ("USAO") for the District of Hawaii. During that time, I had ample opportunity to observe Craig in action, and I can say without any hesitation that Craig is an excellent attorney. He is extremely bright, has excellent analytical abilities, and is able to write clearly and persuasively -- traits which made him an excellent prosecutor and appellate supervisor at the USAO, and which certainly serve him well as an appellate judge. Craig has a broad range of both civil and criminal experience. Prior to joining the USAO, Craig served as a law clerk to the Honorable Herbert Y. C. Choy, a Circuit Court Judge for the Ninth Circuit, and worked in the private sector as a civil litigator in Honolulu. As an Assistant United States Attorney, Craig prosecuted all types of federal crimes, including drugs, complex fraud and environmental crimes, and as the appellate supervisor, reviewed all of the office's criminal and civil appellate briefs.

The Honorable Brian T. Taniguchi  
August 11, 2009  
Page 2

Craig's appellate experience is extensive. In addition to serving as a federal appellate law clerk, Craig served as the USAO's appellate supervisor from 1992 through 2004. In that capacity, Craig reviewed, revised and commented on hundreds of criminal and civil appellate briefs that involved a myriad of procedural and substantive issues. I worked with him on a number of civil appeals and criminal forfeiture appeals, and in every case, Craig provided me with insightful suggestions that improved my written and oral presentation of the government's position. Finally, Craig taught appellate advocacy at the William S. Richardson School of Law for many years, and often asked us to serve as judges for his mock appeals. Craig was a terrific teacher with a deep understanding and interest in the subject matter.

Finally, Craig is an individual of the highest moral and ethical character, who has the intelligence, judgment, judicial temperament, compassion and common sense to be an outstanding Chief Judge of the Intermediate Court of Appeals. As an Assistant United States Attorney, Craig always adhered to the highest standards of honesty, integrity and professionalism. As a colleague, Craig was a team player who was easy to work with and always willing to help others. If confirmed as the Chief Judge, Craig will provide quiet and effective leadership to the Intermediate Court of Appeals. In addition to his exceptional work ethic and excellent organizational abilities, Craig will bring a great sense of humor and collegiality to the Court. The people of Hawaii deserve judges who reflect "the best and the brightest" of our legal community, and Craig Nakamura truly fits that bill. I sincerely hope that you will confirm him as the next Chief Judge of the Intermediate Court of Appeals, and thank you for this opportunity to comment.

Very truly yours,



RACHEL S. MORIYAMA

PRESENTATION OF LAWRENCE L. TONG

TO THE SENATE COMMITTEE ON  
JUDICIARY AND GOVERNMENT OPERATIONS

TWENTY-FIFTH STATE LEGISLATURE  
Regular Session of 2009

Hearing on Monday, August 17, 2009  
10:00 a.m.

TESTIMONY ON GM 1 - GUBERNATORIAL NOMINEE CRAIG H. NAKAMURA  
for the position of Chief Judge, Intermediate Court of Appeals

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

It is my privilege to support the nomination of Craig H. Nakamura to be Chief Judge of the Intermediate Court of Appeals, State of Hawaii.

I have known Judge Nakamura for approximately thirty years, and can assure this committee that he has the skills, work ethic and personal character necessary to be chief judge. I am confident that, if appointed, Judge Nakamura will continue to be an extraordinary jurist, and will be an outstanding leader of the court.

Professional Skills

I worked with Judge Nakamura in the private practice of law, as fellow prosecutors, and as adjunct professors of appellate advocacy at the William S. Richardson School of Law. Having worked with him closely, I can assure you that Judge Nakamura has a rich professional background which will serve him well as chief judge.

I first worked with Judge Nakamura when we were law clerks at the Goodsill law firm in 1980. Judge Nakamura immediately impressed all of the attorneys and law clerks with his intellect and work habits. He proved so industrious that his fellow clerks had to ask him to slow down, so that we would not appear so inferior.

Following law school, Judge Nakamura clerked for Judge Herbert Choy of the United States Court of Appeals. He spent one year learning the intricacies of the appellate process. Judge Nakamura became well versed in jurisdictional and procedural matters, and also in substantive federal law. After his clerkship, Judge Nakamura rejoined the Goodsill law firm, where

we were both associates. During his years there, Judge Nakamura again impressed his colleagues with his integrity, and an ability to do exacting work.

While in private practice, it became apparent that Judge Nakamura was more passionate about the law than about the business of law practice. He thus joined the United States Attorney's Office in 1986. During his time at the U.S. Attorney's Office, Judge Nakamura took on the most difficult cases. After prosecuting routine gun and drug cases, he focused on complex investigations involving white collar offenses. Many of the cases involved environmental or tax offenses, defense procurement violations, and public corruption. These cases were time consuming and challenging. They required Judge Nakamura to distill complex regulations and facts, and make them understandable to a lay jury. He had numerous successes which I am sure have been detailed for you. Some of his more challenging cases included the prosecution of individuals for illegal waste dumping, and the prosecution of Sukanto Sia, who engaged in a large bank fraud which contributed to the failure of a local bank.

While at the U.S. Attorney's Office, Judge Nakamura developed an expertise in appellate matters. He avidly read the latest cases, and gave careful thought to how they would affect our office's work. Judge Nakamura served as the office's appellate coordinator for approximately ten years. He reviewed dozens of briefs each year, and worked closely with his colleagues in the presentation of appellate arguments. The work was both tedious and challenging. Judge Nakamura cheerfully reviewed trial records, and provided helpful guidance and insight to all of his colleagues. He assured that the positions which we took (both in criminal and civil cases) were consistent and compelling. More important, he had an unerring sense of what was ethically correct. He gained such credibility and stature that all of us regularly sought his counsel. He was also asked to argue some of the office's most important and difficult cases, even if he had not handled them at the trial level.

In addition to serving as our office's appellate coordinator, Judge Nakamura was regularly asked to guide us in new and emerging areas of the law. As our office's environmental law coordinator, he became conversant with the intricacies of environmental regulations. When the use of computers became more prevalent in criminal cases and terrorist threats, he was denominated one of the office's computer and telecommunications crime coordinators. These types of positions required Judge Nakamura to become conversant with highly technical concepts, and

to learn to investigate electronic crimes.

Judge Nakamura also has been an educator, having taught taught appellate advocacy at the law school for more than 10 years. I was privileged to assist him for several years. I was impressed by how he maintained a high energy level, and inspired first year students to be passionate about the law. Judge Nakamura gave freely of his time, spending evenings and weekends reviewing briefs and meeting with students. He also scheduled arguments for the students, and critiqued their performances. He was always humble, gave criticism in a constructive way, and genuinely supported students. He had a remarkable way of making even sophisticated ideas seem simple. Judge Nakamura's skill and humility were perhaps best summed up by one student, who called him "brilliant in a low-key way."

#### Judicial Skills and Temperament

I know you are well familiar with the outstanding temperament Judge Nakamura has displayed in his years on the bench. His temperament reflects the same demeanor he has shown through his career. While a practicing attorney, Judge Nakamura always considered both sides of an argument, even while acting as an advocate. He attacked positions, not people. He was not influenced by the identity of the parties or attorneys. While he was an aggressive advocate, he has never been afraid to reconsider the validity of his positions. I never saw him lose his temper, even in the heat of courtroom battles.

Judge Nakamura has shown the same qualities as a jurist. He considers all cases dispassionately. I understand he also has proved an incisive yet respectful questioner during the oral arguments which the court now entertains.

Judge Nakamura has shown an ability to write concise, well-reasoned opinions. His opinions carefully analyze and follow existing law, resolve particular disputes, and provide clarity to future litigants.

Judge Nakamura is also a consensus builder. He has a way of encouraging debate without attacking others. He shows great humility, respect and patience. He persuades others with his logic, rather than with histrionics. Judge Nakamura is a team player, who is always willing to contribute to the common good without seeking any credit. I have no doubt that, as chief judge, he will be able to encourage the individual judges to work cohesively as a court.



### Personal Character

Judge Nakamura is a fine human being. He has a strong work ethic, and treats others with dignity and respect. He has a kind, understated demeanor which reflects his local roots. He remains humble in spite of his obvious talents. He is unfailingly kind to others, and a loyal friend to many. He is a committed husband, and a devoted father of three children. Judge Nakamura's unshakable family and community values inform his professional and personal lives.

I respectfully urge that you confirm Judge Nakamura as Chief Judge of the Intermediate Court of Appeals, State of Hawaii. He is an outstanding individual who will serve the court and community well. Thank you for your consideration.

August 17, 2009

Via E-mail (sentaniguchi@Capitol.hawaii.gov)  
Senate Judiciary and Government Operations Chair  
Senator Brian T. Taniguchi, 10th Senatorial District  
Hawaii State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawaii 96813

RE: Testimony in Support of Governor Linda Lingle's Nomination of Craig Nakamura for the position of Chief Judge of the Intermediate Court of Appeals

Senator Taniguchi:

I would like to express my unconditioned support for Governor Linda Lingle's nomination of Judge Craig Nakamura for the position of Chief Judge of the Intermediate Court of Appeal.

I had the honor to work with Craig at the ICA as one of his law clerks and I could not have asked for a better mentor at the start of my legal career. Craig always encouraged me to think for myself and form my own opinions. He challenged me with provoking questions and forced me to consider all angles. Although he did not always agree with me, he always gave all my questions and reasoning respectful consideration. Understanding the need for timely and prudent decision making, he would push me to do my best without ever rushing me to hasty decisions.

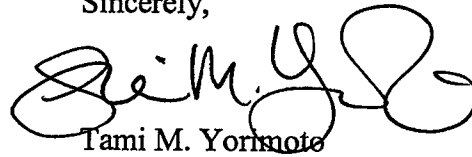
Craig's legal intelligence is undoubtedly clear from his work product; but, what many people don't see is the careful reasoning and analysis that is done before any decisions are made. Craig is truly a devoted, hard working, and diligent judge. When approaching all his cases, no matter how big or small, Craig is thoughtful and thorough. He considers the law and all it requires, he respects the precedent of prior decisions, and he never loses sight of the parties involved and the impact of his decisions and actions.

Beyond his brilliant legal mind, Craig is really just a great individual. Craig genuinely cares about others and, no matter how busy he may be, he always has time to help his clerks work through the tough legal issues, chat about sports or current events, or offer advice on career paths. He has a laid-back and calm persona and he never seems flustered or stressed even with all the pressures of his position. He leads his chambers with a humble confidence and he commands respects without ever raising his voice.

Senator Taniguchi  
August 17, 2009  
Page 2 of 2

Craig knows how the court functions and he understands its members. Combined with the respect of his colleagues, a sharp legal mind, and a gracious personality, such knowledge ensures that Craig will be an effective leader and a superior Chief Judge of the Intermediate Court of Appeals.

Sincerely,

A handwritten signature in black ink, appearing to read "Tami M. Yorimoto". The signature is stylized with large, flowing loops and a prominent initial "T".

Tami M. Yorimoto

August 13, 2009

Via Email (JGOTestimony@Capitol.hawaii.gov)

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

Re: Senate Confirmation of Associate Judge Craig H. Nakamura for Chief Judge of the  
Intermediate Court of Appeals

Dear Chairperson Taniguchi and Members of the Committee:

I am writing this letter in support of Governor Linda Lingle's nomination of the Honorable Craig H. Nakamura to serve as Chief Judge of the Intermediate Court of Appeals (ICA). I have had the honor and privilege to serve as a law clerk to Judge Nakamura since September 2008. During that period, I have come to know Judge Nakamura not only as an exceptional jurist, but also as a person of integrity and high moral character. He has been a mentor and role model for me both professionally and personally.

Judge Nakamura has an unmatched work ethic and is committed to the rule of law. He approaches his job with diligence and an unwavering appreciation of the profound responsibility that the position entails. Every case that he decides receives a thorough and rigorous review.

As his law clerk, Judge Nakamura has been accessible and has helped me develop my skills as a young lawyer. The other ICA law clerks have often remarked on his amiable disposition and witty sense of humor. He welcomed us as new law clerks by joining us in the conference room to eat lunch. Through our conversations, we quickly learned that despite his impressive credentials, Judge Nakamura is remarkably gracious and humble.

Based on my knowledge of Judge Nakamura, I believe that he possesses the traits and qualifications required to be an effective leader of the ICA. Further, I believe that he is dedicated to maintaining the culture that makes the ICA a wonderful place to work.

Please feel free to contact me if I can provide further information. Thank you for allowing me to present this letter in support of the consideration and confirmation of Judge Nakamura.

Sincerely,

Kimberly K. Asano  
kimberly.asano@gmail.com

KURT KAWAFUCHI  
830 PUNCHBOWL STREET, ROOM 221  
HONOLULU, HI 96813

August 13, 2009

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

**RE: GM 1**

SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE  
INTERMEDIATE COURT OF APPEALS, CHIEF JUDGE, GUBERNATORIAL  
NOMINEE, CRAIG H. NAKAMURA FOR A TERM OF TEN YEARS.

Dear Chair Taniguchi:

**I strongly and unequivocally support** the confirmation of Craig Nakamura as Chief Judge of the Intermediate Court of Appeals.

I have known Craig Nakamura for 35 years since we both attended Iolani High School.

I believe that Craig's personal traits, integrity, character, fairness, intelligence, and professional experience will make Craig an excellent to outstanding Chief Judge of the Intermediate Court of Appeals.

Craig is a friend. In our careers, he has also been an adversary—in the latter 1990's he indicted and prosecuted several of my former criminal tax clients: Ron and Annyse Cloutier (Mr. and Mrs. Cloutiers retained the Goodsill law firm to defend them in the criminal proceeding; they were not existing clients).

Craig is an extremely high integrity person. He is very honest and fair. As an Assistant U.S. Attorney, Craig performed his job to the best of his abilities and in an honorable way. He never tried to personalize a case or unnecessarily demean any one. Craig always kept the power of the federal prosecutor in perspective.

Craig is also an extremely hard worker and diligent. During trials, Craig would be in the office before 6:00 am to prepare for the day's trial. He often worked on appellate briefs until 12:00 midnight while he worked at the U.S. Attorney's Office.

Further, Craig is extremely competitive and determined. At Iolani High School, Craig was a starter on the varsity football and basketball teams. Thus, he is a team player and unselfish. Even though he was neither the tallest nor most athletic, the coach would often assign Craig to guard the team's best scoring forward even if the forward was ½ foot taller than Craig. Craig performed admirably by containing that skilled 6'-4" scorer: Harry Lake of Kamehameha High School.

Craig's academic and professional credentials are also impressive. He had a near perfect GPA in college (graduation with honors from the University of Hawaii at Manoa in Economics) and an exceptional score on his law school admission test. He attended and graduated cum laude from Harvard Law School in 1981.

After graduation from Harvard Law School, Craig clerked for Judge Choy of the U.S. Court of Appeals for the Ninth Circuit. Craig next worked for 4 years in the civil litigation department at the Goodsill Anderson Quinn & Stifel law firm.

Craig worked the next 17+ years as an Assistant U.S. Attorney for the District of Hawaii. During that period, he successfully prosecuted numerous high profile cases including Sukamto Sia and the first criminal waste water sewage disposal case in Hawaii.

At the U.S. Attorney's Office, Craig was also informally designated as the appellate coordinator who reviews all of the civil and criminal written briefs submitted by the office to the U.S. Court of Appeals for the Ninth Circuit. Since 2004, Craig has been a Judge on the Intermediate Court of Appeals.

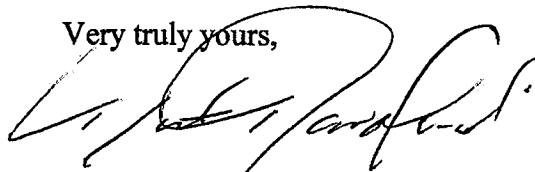
Finally, Craig is confident and compassionate. He is also very humble and down to earth. Even though Craig is exceptionally bright, he relates to everyone and speaks in a manner that is understandable to the average person.

In performing his civic duties, Craig taught a first year writing class at the Richardson School of Law for over 10 years. He has also served as a director of the Hawaii State Bar Association. Further, Craig has served as a lecturer many times at the University of Hawaii at Manoa.

Since becoming a father about 5 years ago, Craig has also focused on spending time with his young children, daughter Whitney, son Jordan, and daughter Mia.

Thank you for allowing me to provide testimony on Craig Nakamura. I strongly urge the Senate Committee on Judiciary and Government Operations, and the Senate to confirm Craig Nakamura as the Chief Judge of the Intermediate Court of Appeals. I would be happy to provide any additional information regarding Craig Nakamura.

Very truly yours,

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

KURT KAWAFUCHI

August 11, 2009

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

Re: Confirmation of the Honorable Craig H. Nakamura as Chief Judge of the Intermediate Court of Appeals

Dear Senator Taniguchi:

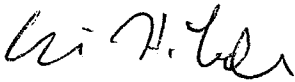
I submit this testimony in support of Associate Judge Craig H. Nakamura's nomination to the position of Chief Judge of the Intermediate Court of Appeals.

I have had the privilege of serving as Judge Nakamura's law clerk for the past two years. During my clerkship, I have found Judge Nakamura to be a person of great integrity, honesty, and intelligence. I have learned so much while clerking for Judge Nakamura, and feel honored to have a mentor who is so dedicated to his job and the people of Hawaii.

In addition to Judge Nakamura's strong work ethic and his ability to analyze the most complex legal issues, he is also an incredibly humble person. He treats everyone he meets with kindness and respect, and sets a terrific example for his clerks and the entire office.

I am confident that Judge Nakamura has the ability to effectively lead the Intermediate Court of Appeals, and I strongly support his nomination. Thank you for your consideration of my testimony.

Respectfully yours,



Erin H. Yoda

564 Kahiau Loop  
Honolulu, Hawaii 96821

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

Re: Gubernatorial Nominee **Craig H. Nakamura**,  
Chief Judge, Intermediate Court of Appeals  
State of Hawaii

Hearing Date: **August 17, 2009 @ 10:00 a.m.**

Dear Chair Taniguchi and Committee Members:

It is an honor to provide testimony in support of nominee Craig Nakamura for the position of Chief Judge, Intermediate Court of Appeals. I am an Assistant United States Attorney for the District of Hawaii and have served in this capacity since 1989. Justice Nakamura was a member of the criminal section of the office when I joined the U.S. Attorney's office and he was the supervising attorney for my very first criminal trial. At that time he was prosecuting criminal cases as a member of the White Collar section and also reviewed all Ninth Circuit briefs filed by the office. As the appellate "guru," his reviews of the briefs were consistently timely and insightful. In addition to his legal acumen and analytical abilities, Justice Nakamura is an excellent writer. The briefs received the benefit of his editing as well as thorough treatment of all legal issues. Justice Nakamura was masterful at developing the best approach to handling difficult and sticky issues. He could direct you to specific cases on any given point. Part of his legacy when he left the office is a collection or brief bank of legal briefs and memoranda addressing various legal issues.

During his tenure in the office, Justice Nakamura was also sought as a primary resource for evidentiary and other issues which arose in trial, during motions or sentencings.

Page Two  
Chair Taniguchi



Justice Nakamura has an outstanding work ethic and his productivity is well documented during his service in the United States Attorney's Office and as an Associate Justice on the ICA. He is an individual who strives to produce the best work product possible and to serve the public by adhering to judicial honesty and precedent. He is also a truly nice person, able to foster collegiality in any situation. Our state judiciary is fortunate to have someone with his judicial temperament, intellectual acumen, integrity and sense of fairness.

He has a proven track record and will continue to be a great asset to the bench. If I can be of further assistance, please do not hesitate to contact me at 541-2850, ext. 231.

Very truly yours,

BEVERLY WEE SAMESHIMA

7-24-09

Regarding Hearing 8 August 17, 2009

Senate Committee on Judiciary and Government Operations

GM1-Craig Nakamura nomination for chief judge intermediate court of appeals for state of Hawaii

Dear Senator Brian T. Tanaguchi and other committee members;

I support Craig Nakamura's nomination to chief of the court of appeals.

Craig is and always has been hard working, honest, responsible, and adheres to high ethical standards. He works long hours now like he did when he was in Punahou and University of Hawaii studying.

He helps the less fortunate. He for instance patiently spends more time helping a half paralyzed stroke victim, Curtis Tom than anyone else I know. He has helped his father sell clothes at the swap meet. He teaches at the University of Hawaii.

I have never seen him break any laws including jwalking or crossing at intersections with a red light.

His wife (Elise Matsumoto Nakamura) is a dedicated caring public school teacher. She reflects the good character Craig has.

I have known Craig for about 40 years. We attended Punahou together. We share many friends in common. All share the sense of responsibility for supporting our Hawaii community and honoring our families through our good works.

I serve on Hawaii's senior advisory committee for plants and animals. I did serve on Governor Cayetano's economic revitalization committee tax sub committee about 10 years ago. I also had served on Hawaii Newspaper Agency's retail advisory board. I serve on the Gentry Industrial Park Board. I manage Petland Inc. and Pets Pacifica Inc. I have served as an auw volunteer, Junior Achievement advisor, HIFA freight coop board member, Waimalu Shopping Center board member, and Ala Moana promotion board member.

Thanks,

Kenneth J. Matsui

**Testimony of John M. Tonaki,  
State Public Defender to the Senate Committee on Judiciary  
and Government Operations**

August 17, 2009

GM1: Nomination of Craig H. Nakamura to be the Chief Judge of the Intermediate Court of Appeals

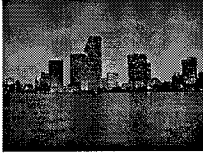
Chair Taniguchi and Committee Members:

This is in support of the nomination of Craig H. Nakamura to be the Chief Judge of the Intermediate Court of Appeals ["ICA"]. I did not know Judge Nakamura before he was named to the Intermediate Court of Appeals as an Associate Judge. Since that time, our office has dealt with him on appeals before the ICA and I worked with him very closely as a member of the legislative task force to conduct a comprehensive review of the penal code. Mainly through my work with him on the task force, I have come to greatly respect Judge Nakamura's legal abilities and intellect. I have had an opportunity to witness his organizational skills as well as his leadership abilities.

I believe that Judge Nakamura will serve with distinction as the Chief Judge of the ICA. Given the numerous administrative responsibilities which accompany the Chief Judge's position, the office requires someone with the legal acumen and leadership skills that Judge Nakamura possesses.

I have had a number of chances to sit and talk with Judge Nakamura and, through these conversations, I know that he is very good with people, he is very respectful of all positions in a legal issue and he is humble. Although I have not always agreed with his decisions over the years, I have tremendous respect for him as a judge and a person. I know he will always be committed to the service of justice and, as an administrator, to assuring that all litigants are given their day in court and treated with respect. I support his nomination without hesitation.

Thank you for the opportunity to be heard on this matter.



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7/23/2009

To: Senator Brian T. Taniguchi, Chair of the Committee on Judiciary and Government Operations

Re: Support for the nomination of Craig H. Nakamura for the position of Chief Judge, Intermediate Court of Appeals

I have known Craig Nakamura for a long time. Although a friend, I think I can be objective when I say that he is intelligent, responsible, hard working, honest, reliable, patient, attentive, creative, accurate, organized, self sufficient, self motivating, always friendly, respectful of others, willing to take on extra work, never complaining, and a great person with a good heart. He was excellent as an associate judge on the Intermediate Court of Appeals and outstanding as an assistant U.S. attorney. But it is his strength of character, ability to make difficult decisions, and fairness of heart that sets him apart from others.

Please consider Craig Nakamura for the position of Chief Judge, Intermediate Court of Appeals. The qualities he possesses as an exceptional human being, as well as his experience and record will ensure that he will be an extraordinary Chief Judge, Hawai'i Intermediate Court of Appeals.

Sincerely,

Donn Terada  
President and Founder  
Rental Finders