GM1

Measure Title:

Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee HENRY T. NAKAMOTO, for a term to expire in 10 years.

MITCHELL D. ROTH PROSECUTING ATTORNEY

DALE A. ROSS FIRST DEPUTY PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

GM1 CONSIDERATION AND CONFIRMATION OF HENRY T. NAKAMOTO TO THE CIRCUIT COURT OF THE THIRD CIRCUIT

COMMITTEE ON JUDICIARY Sen. Brian T. Taniguchi, Chair Sen. Karl Rhoads, Vice Chair

Monday, September 25, 2017, 11:00 AM State Capitol, Conference Room 016

Honorable Chair Taniguchi, Honorable Vice-Chair Rhoads, and Members of the Committee on Judiciary, I submit the following testimony in support of GM1.

With this letter, I express my support of Mr. Nakamoto's gubernatorial nomination to the Circuit Court of the Third Circuit, State of Hawaii, for a term to expire in 10 years.

As a Third Circuit Family Court judge and temporary Division 3 Circuit Court Judge (following the retirement of the Honorable Ronald Ibarra), Mr. Nakamoto has shown himself to have the patience, tact and firmness required of a circuit court judge. Being the President of the Hawaii County Bar Association and President of the Waiakea High School Foundation, he has set a foundation in which to better understand and assist the citizens of Hawaii County. I believe Mr. Nakamoto has the experience and proper judicial temperament to do the work of a circuit court judge.

Thank you for the opportunity to testify on this matter.

Mitchell D. Roth Hawai'i County Prosecutor



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

Henry T. Nakamoto Circuit Court Judge, Third Circuit (GM1)

TO:

The Honorable Brian T. Taniguchi, Chair The Honorable Karl Rhoads, Vice-Chair

and Members of the Senate Committee on Judiciary and Labor

FROM:

Nadine Y. Ando

President, Hawaii State Bar Association

Hearing: Monday, September 25, 2017 at 11:00 a.m.

Conference Room 016

State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments in SUPPORT of the nomination of Henry T. Nakamoto for the position of Circuit Court Judge. Third Circuit.

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

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

OFFICERS

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YLD PRESIDENT Trejur P. Bordenave

IMMEDIATE PAST PRESIDENT Jodi Kimura Yi

HSBA/ABA DELEGATE James A. Kawachika

EXECUTIVE DIRECTOR Patricia Mau-Shimizu

- Meeting of the President, the Assistant Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.
- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Assistant Executive Director met with Judge Nakamoto on September 21st to discuss the Subcommittee's findings. On September 21st, Judge Nakamoto was interviewed by the HSBA Board of Directors in executive session.

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

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

Since being appointed to the bench in 2014, Judge Nakamoto has served not only as a (District) Family Court judge of the Third Circuit, but has also covered the District Court calendar in Hilo and has most recently been sitting by appointment as a Circuit Court judge in Hilo and Kona. Comments from attorneys practicing in his court and other observers reveal that he is well prepared, has excellent judicial temperament, has the highest integrity, is knowledgeable and skillful in handling all cases brought before him, and has dispensed rulings that were reasonable and well thought-out. Judge Nakamoto's deep roots in the community is exhibited by his service with the Jaycees, Junior Achievement, Leo Club, the County Bar, the State Bar, his children's judo club, and Aloha United Way.

The Board of the Hawaii State Bar Association finds that Judge Henry T. Nakamoto is **QUALIFIED** to serve as a Circuit Court Judge of the Third Circuit.

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



STATE OF HAWAI'I

Department OF EDUCATION

Waiakea High School

155 W. KAWILI STREET HILO, HAWAI'I 96720-5038 PHONE: 974-4888 FAX: 974-4880 Website - http\\waiakeahigh.k12.hi,us

PRINCIPAL AUGUST 11, 2017

Dear Governor Ige,

I am writing to you in regards to Henry Nakamoto, Hawaii County District Judge who is currently applying for the position of Circuit Court judge. I have been acquainted with Henry for the past 16 years on both a professional as well as a personal level. He and I first met when we both attended birthing class with our respective spouses while expecting the births of our first child. Our children ended up being born 3 weeks apart, therefore, we often met as excited, yet anxious first time parents. Over the years, I have come to know Henry as an intelligent, witty, and level-headed friend.

I have also had the opportunity to observe Henry in a professional light as Family Court Judge. For the past 23 years, I have worked as a school counselor at Waiakea High School and have had the opportunity to work alongside Henry in the court system. Unfortunately, my job entails that I take students and their families to court when necessary. He has proven to be firm, fair, and compassionate in his decisions. His calm demeanor allows families to accept consequences as they are at times difficult to accept.

I have every confidence that Henry Nakamoto is well qualified for the position of Circuit Court judge and is ready to take on this challenge. He will definitely be a committed and dedicated judge to the people of Hawaii. Thank you for your consideration of his application.

Sincerely,

Penny Yanagisawa

STAR Academy Counselor

Waiakea High School

155 W. Kawili St.

Hilo, HI 96720

(808) 974-4888

Penny_yanagisawa@notes.k12.hi.us

PAUL K. HAMANO

P. O. Box 574 Hilo, Hawaii 96721

Phone: (808) 935-3336 Fax: (808) 935-3340

September 21, 2017

Senator Brian T. Taniguchi Chairman, Senate Committee on Judiciary State Capitol 415 South Beretania Street Honolulu, Hawaii 96813

Re: Confirmation Hearing on Henry T. Nakamoto to the Circuit Court of the Third Circuit

Dear Chairman Taniguchi and the Senate Committee on Judiciary:

I write this letter to testify that Judge Henry T. Nakamoto is an excellent judge and I urge your Committee on Judiciary and the Senate to confirm his nomination to the Circuit Court of the Third Circuit in Hilo.

It is a rare occasion that as a private attorney I would comment on the character and abilities of another member of the bar. However, I have known Judge Nakamoto for over two decades as a fellow attorney colleague and later as a judge and I feel it is only right that you receive input from a person who has significant first hand knowledge of Judge Nakamoto's legal abilities and personal character.

I have worked with Judge Nakamoto in many situations where we represented clients on opposing sides, where we represented different clients on the same side (i.e. multiple defendants), where I represented a former client of his, where I appeared before him as a judge in the Family and Circuit Court, and where we worked in community bar activities.

In all of these situations, I witnessed first hand that Judge Nakamoto had an excellent command of the law in substantive, procedural, and evidentiary matters, managed his cases skillfully and expeditiously, was fair and reasonable in settlement, and most importantly, exhibited the highest level of comportment. By comportment, I mean he was, in all settings, always courteous, attentive, patient, with a complete lack of arrogance, and treated everyone, litigants and attorneys, evenhandedly and with respect.

I cannot think of anyone in this legal community who would be more qualified or suited for the honorable position of Circuit Court Judge for the Third Circuit here in Hilo, Hawaii than Judge Henry T. Nakamoto. I, and I know many of my fellow colleagues, would urge your Committee and the Senate to give Judge Nakamoto your most serious consideration and confirm

Senator Brian T. Taniguchi Chairman, Senate Committee on Judiciary September 21, 2017 Page 2

his appointment to the Circuit Court of the Third Circuit.

Thank you for your kind attention to this matter.

1 / 1

Paul K. Hamano

PKH/bms



Richard S. Ekimoto
John A. Morris
Gwenaelle M. Bratton
Russell H. Ando
Dan C. Oyasato
Jill M. Tsuchitori
Erik D. Olson
Tiffany N. Dare
Jamie L. DeMello
Ann E. McIntire

Of Counsel: Arlette S. Harada

September 18, 2017

Via Hand Delivery

Senator Brian T. Taniguchi Chairman, Senate Judiciary Committee State Capitol Honolulu. Hawaii 96813

Re: Henry T. Nakamoto, Judge, Circuit Court, Third Circuit

Dear Senator Taniguchi and Members of the Senate Judiciary Committee:

I am writing this letter on my own behalf and not on behalf of my firm.

I am an attorney in private practice in Honolulu and have been a member of the Hawaii State Bar Association since 1980. I am submitting this letter to support the nomination of Judge Henry T. Nakamoto to the Circuit Court of the Third Circuit, State of Hawaii.

I have known Judge Nakamoto for many years, both professionally and personally. I know him to have been an accomplished attorney with many years of experience in private practice, both in Honolulu and on the Big Island. Over the years, he has distinguished himself in the practice of law and has become a leader in the Big Island legal community. He is also a recognized leader in the Big Island community at large and has committed countless hours to community service. He is a man of high integrity and has the right temperament to serve on the bench. He has the legal ability, intelligence, experience and personal qualities to serve with distinction for many years.

Since 2014, he has served as a District Court Judge for the Third Circuit, and now has years of experience as a jurist to enhance his considerable qualifications. He was born and raised in Hilo and knows the community very well.

For these reasons, and without hesitation, I fully support his nomination as a Circuit Court Judge for the Third Circuit.

Very truly yours,

RUSSELL H. ANDC



September 7, 2017

Senator Brian T. Taniguchi Chair of Senate Judiciary Committee Hawaii State Senate State Capitol Building 415 S. Beretania Street Honolulu, HI 96813

RE: Letter of Recommendation in Support of Judge Henry T. Nakamoto

Dear Senator Taniguchi and Senate Judiciary Committee Members:

I am writing this letter in support of Judge Henry T. Nakamoto to fill the vacancy left by the retirement of the Honorable Glenn S. Hara.

I have known Judge Nakamoto for over 20 years. I am general counsel for Goodfellow Bros., Inc., a sitework and infrastructure construction company, and I was in the private practice of law in the State of Hawaii for over 30 years. I have found Judge Nakamoto to be a person of strong moral character, honest, kind and courageous. He is intelligent and a diligent worker.

Judge Nakamoto will be an excellent circuit court judge. I support his selection as judge in the Third Circuit Court.

Sincerely,

ROBERT. T. TAKAMATSU

General Counsel for

GOODFELLOW BROS., INC.

700 Bishop Street, Suite 1900
Bishop Street Tower, Topa Financial Center
Honolulu, HI 96813
P 808 \ 270 \ 5974 | C 808 \ 594 \ 3696
CL# ABC-7046 = Equal Opportunity Employer

Li-Ann Yamashiro 7525 Mokunoio Place Honolulu, Hawaii 96825

September 14, 2017

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

Re: Henry T. Nakamoto, nominee for Third Circuit Court Judge

Dear Senator Taniguchi:

I believe that you will not find a more qualified nominee than Henry T. Nakamoto to fill the position of Judge of the Circuit Court of the Third Circuit, Second Division, Hilo.

I have known Henry for over 30 years. We met when we were students at Hastings College of the Law. As a student, Henry was intelligent, honest, and hard working. Henry has an even temperament, is patient, and is liked by everyone. Throughout the rigors of law school and later during the practice of law, Henry has been able to maintain these qualities that would make him a good circuit court judge.

During many of our casual conversations when Henry was in private practice, we discussed issues that arose in our cases such as due process. Henry's thorough knowledge of issues such as due process and its purpose gives him the ability to set aside his own prejudices and biases and apply the law properly in an impartial and fair manner.

Henry's experience through his varied law practice gives him the experience in different areas of the law. Such experience will allow him to see both sides and give him the ability to make informed and practical decisions.

In addition, because of Henry's practice and his character, he will know when it is necessary to take firm control over a case while maintaining the appropriate judicial temperament.

My practice for the past 23 years has required me to regularly appear before circuit court judges. In my experience, the best judges are those who know the law and when they don't, take the time and effort to familiarize themselves with the law as applied to the case. These judges are critical thinkers and have good reasoning abilities. It is my opinion that Henry will be one of the best judges.

A colleague recently appeared before Henry and told me that he did a great job because it was clear that he was well prepared and understood the law and the issues.

Henry took the time to explain his decision to the individual who was representing himself. Although the ruling did not go in the individual's favor, Henry's demeanor made the individual feel that his concerns had been heard and the individual understood the decision. Henry thus demonstrated he has the appropriate temperament for a circuit court judge.

Henry is a person with the highest moral character and he cares about the quality of his work. I believe that you will not find a more qualified candidate than Henry T. Nakamoto.

Thank you for your consideration.

Very truly yours,

/s/ Li-Ann Yamashiro

September 8, 2017

Hawaii State Legislature Senate Committee on Judiciary Brian Taniguchi, Chair Hawaii State Capitol, Room 219 415 South Beritania St. Honolulu, HI 96813

Re: Third Circuit Court Judicial nominee Henry Nakamoto

Dear Chair Taniguchi:

I am writing this letter in support of Henry Nakamoto's confirmation for Circuit Court Judge.

I have known Judge Nakamoto professionally for about 3 years while he has served as a District Court Judge. He has always demonstrated a calm and fair demeanor, and is well respected by everyone who encounters him. His legal experience, knowledge and judicial temperament has made him an excellent District Court, and will enable him to continue to serve the community in the role as Circuit Court judge should he be confirmed.

Very truly yours,

Dawn West Holualoa, HI

Kris N. Nakagawa 1604 Ruth Place Honolulu, Hawai'i 96816 (808) 753-5704

September 14, 2017

Honorable Brian T. Taniguchi State of Hawaii Senate State Capitol 415 South Beretania Street Honolulu, Hawai'i 96813

Re: Letter in Support of Governor David Ige's Appointment of

District Family Court Judge Henry T. Nakamoto

Dear Senator Taniguchi:

I strongly support Governor David Ige's appointment of District Family Court Judge Henry T. Nakamoto ("Judge Nakamoto") to become a Circuit Court Judge of the Third Circuit (Division 2, Hilo).

I am an attorney licensed in Hawaii since 1992, and currently a partner with Morihara Lau & Fong, LLP in Honolulu. Judge Nakamoto and I first met each other in Hilo when we both attended Waiakea Elementary School in the early 1970s. In 1982, we graduated together at Waiakea High School. After high school, we both attended different colleges and law schools in the mainland. Although we were often apart after our "high school days" and presently reside on different islands, we have continued to be in contact with each other and maintained our friendship for over 40 years.

From my perspective, a nominee should exhibit the following aspects of proper judicial temperament: patience, open-mindedness, courtesy, tact, courage, punctuality, firmness, understanding, compassion, humility and common sense. I believe Judge Nakamoto has all of these qualities. He also has the requisite character, knowledge, and experience to sufficiently perform the necessary duties as a Circuit Court Judge in Hilo. As a colleague and a childhood friend, I always found him to be honest, fair, ethical and impartial in his decisions, and he always strived to educate and encourage others around him to do the same. Accordingly, I believe Mr. Nakamoto will be a Circuit Court Judge that the Big Island's communities will admire for many years, and he will continue to be great asset to the Judiciary and the State of Hawaii.

Honorable Brian T. Taniguchi September 14, 2017 Page 2

I respectfully request your favorable consideration in the appointment of Judge Nakamoto as a Circuit Court Judge of the Third Circuit (Division 2, Hilo). If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Kris N. Nakagawa

Tom Heinrich

From:

Carol Ginoza-Arikawa <carol@ginozarealty.com>

Sent:

Thursday, September 14, 2017 2:30 PM

To:

JDCTestimony

Subject:

Henry Nakamoto

To Whom It May Concern:

I don't normally send testimonies but in this case, I want to lend my support of Henry Nakamoto for the Circuit Court judge position in Hilo.

Henry was my lawyer in Hilo before he became a District judge. He always treated me kindly and fairly and always did his work efficiently and timely.

He is a good man with a good and fair heart.

He will be an asset to this new position.

Please confirm his nomination as the new Circuit Court judge in Hilo.

Thank you.

Carol S. Ginoza-Arikawa Principał Broker Ginoza Realty, Inc. 1158 Kinoole St. Hilo HI 96720 (808) 969-1471-bus. (808) 935-0468-fax (808) 938-3900-cell www.ginozarealty.com 203 Iwalani Street Hilo, Hawai'i 96720 September 15, 2017

The Honorable Brian T. Taniguchi Hawaii State Senate, State Capitol 415 South Beretania Street Honolulu, Hawaii 96813

RE: Letter of Recommendation for Judge Henry T. Nakamoto

Dear Senator Taniguchi,

Mr. Henry T. Nakamoto has been a family friend and my personal attorney for many years. As his client, he is humble, well organized, efficient, extremely competent and has excellent rapport. His good nature, humility and trustworthiness make him a well respected individual amongst his peers and within the community.

I humbly ask that you consider Mr. Henry T. Nakamoto for Big Island Circuit Judge who will be a valuable asset in the judiciary system. Thank you for your time and consideration to this matter, it is greatly appreciated.

Sincerely,

May S. Igawa

1161 Oihana Street Hilo, Hawai'i 96720 September 15, 2017

The Honorable Brian T. Taniguchi Hawaii State Senate, State Capitol 415 South Beretania Street Honolulu, Hawaii 96813

RE: Letter of Recommendation for Judge Henry T. Nakamoto

Dear Senator Taniguchi,

It is a pleasure to write this letter in strong support of Judge Henry T. Nakamoto's confirmation for the Big Island Circuit Court Judge position. I have had the privilege of knowing Judge Nakamoto for 25+ years as a former client and close family friend. He possesses many fine attributes and has proved himself to be a respectful, patient, fair-minded, and conscientious individual. His calm demeanor, deep compassion and care for my family while we were clients of his was genuine. His thoroughness, organization and attention to details was impressive.

Judge Henry T. Nakamoto is a very admirable and ambitious individual who invests time into lifelong learning and also educating others in his capacity as judge. His professionalism and supportive nature makes him a great asset to the judiciary court system. Therefore, I strongly recommend Judge Henry T. Nakamoto for the position of Circuit Court Judge for the Big Island of Hawaii and strongly believe that his continued contributions will definitely make a positive impact in our community.

Sincerely yours,

Sheri S. Kajima

Sheri S. Kojima, Business Teacher Waiakea High School

Kawili Dental Group

50 W. Kawili St. Ste 200 Hilo, HI 96720 808-935-0030 Kdg@kawilidentalgeoup.com

August 16, 2017

Dear Governor Ige,

I am writing this letter of recommendation on behalf of the Honorable Judge Henry Nakamoto. He is seeking the future vacant seat in the 3rd circuit court left by the Honorable Judge Glenn Hara. I have known Henry for well over 25 years both professionally and personally.

As long as I have known Henry, success seems to follow him in whatever path he chooses. As a father of two boys, Henry has always been involved with his sons' activities. Our sons joined the same judo club and Henry has quickly become the expert in tournament matching. His wife is his great supporter and together they are an awesome team. I've known Henry's sons for a long time and their humble yet determined character is another example of Henry and his wife, Joyce's recipe for success.

Henry's career as a lawyer prior to becoming a judge is also stellar. He became our lawyer back in 1999 and he has always shown us dedication, knowledge and just an overall confidence to get the job done. We as well as many others were sad to see him go to become Judge, but knew it was only a matter of time.

I strongly urge you Governor Ige, to give Henry Nakamoto the opportunity to serve the people of Hilo. This will allow him to continue to be successful in both his personal and professional paths.

I sincerely thank you for your time. Please feel free to contact me at 808-935-0030, if you or your staff should have any questions. Henry Nakamoto is the clear choice for this position.

Respectfully yours,

Chad T. Okuda D.D.S.

1068 Lelepau Street Hilo, Hawaii 96720

August 10, 2017

Honorable David Y. Ige Governor, State of Hawaii State Capitol Honolulu, Hawaii 96813

Dear Governor Ige:

I am writing this letter on behalf of Henry T. Nakamoto, who is a nominee for Circuit Judge, Circuit Court of the Third Circuit (Island of Hawaii). He is currently substituting as the Administrative Judge of the District Court of the Third Circuit, a vacancy created by the retirement of Judge Ronald Ibarra.

I have known Henry for at least twenty years, some of that time as my family's attorney for real estate transactions. In October, 2004, he helped establish the Waiakea High School Foundation by drafting its Articles of Incorporation and By-Laws at no charge to the organization. He served as the Foundation's first president, resigning only after his appointment as Family Court judge in 2014. Under his leadership, the Foundation was able to raise at least \$75,000.00 to help support the high school's efforts to graduate successful students.

Henry's temperament is extremely cordial, friendly and always positive. He is open to new ideas and viewpoints and listens closely to others' requests for his help. His experience with other community groups makes him a valuable source of information about who to go to for help. I trust his judgment, value his opinions and know he will be a fair and wise judge.

It is indeed an honor to write this letter on his behalf.

Sincerely,

Gloria R. Kobayashi (Mrs.) Realtor, Ray Kobayashi Realtor Secretary/Treasurer, R.K. Builders, Inc.

LEONG KUNIHIRO BENTON & BROOKE

Attorneys at Law - A Law Corporation 1212 Davies Pacific Center 841 Bishop Street Honolulu, Hawaii 96813

Telephone No.: (808) 524-7575

Facsimile No.: (808) 524-7878

Scott G. Leong Gary N. Kunihiro, Of Counsel Shawn L.M. Benton, MHRM, SHRM-SCP, Of Counsel Paul A. Brooke Colette H. Gomoto

Linda Zichittella Leong (1948-2004)

September 19, 2017

VIA EMAIL: JDCtestimony@capitol.hawaii.gov

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

Re: Judicial Appointee, HENRY T. NAKAMOTO
As Circuit Court Judge of the Third Circuit,
State of Hawaii

Dear Senator Taniguchi:

I am writing in support of Henry T. Nakamoto as the next Circuit Court Judge for the Third Circuit, State of Hawaii. I have known Mr. Nakamoto for more than twenty-five years, first as a summer associate at Goodsill Anderson Quinn & Stifel ("Goodsill"), then as an associate attorney with Goodsill, and then as an associate and then as an associate and partner at Nakamoto Yoshioka, et al. During those years, Mr. Nakamoto and I became close friends. Besides working at Goodsill, we played in the lawyers' softball and basketball leagues and City softball and basketball leagues.

After Judge Nakamoto returned to Hilo to practice law with his father, we continued to keep in touch, having lunch in Hilo, and taking family vacations. I have been able to observe Judge Nakamoto grow from a summer associate, to a first-year associate attorney, to a mid-level associate, to Grand Jury Counsel, to partner of his former law firm, and then a district court judge. Knowing Judge Nakamoto as well as I do, I could not think of a better lawyer or person to be elevated to the Circuit Court bench.

Judge Nakamoto's work ethic, outstanding legal abilities, professionalism, personality, impartiality, sense of fairness, and judicial demeanor make him an excellent candidate for the Circuit Court. Although he has been sitting for retired Circuit Court Judge Ronald Ibarra for only a few months, his familiarity with the law, court and civil procedures, and

Senator Brian T. Taniguchi
Re Judicial Selection of Henry T. Nakamoto
September 18, 2017
Pahe 2

his experience as Grand Jury Counsel, have prepared him for the Circuit Court. As he is already a temporary Circuit Court Judge, Judge Nakamoto will be able to "hit the ground running" in Hilo.

I firmly and unequivocally believe Judge Nakamoto will be an excellent Circuit Court Judge. I wholeheartedly and without reservation support Governor Ige's outstanding selection of Judge Nakamoto and believe the people of the Big Island, as well as the rest of the State of Hawaii, will benefit greatly from Judge Nakamoto's tenure on the Circuit Court. Again, I cannot emphasize enough that I could not think of a better person or lawyer, to be selected for the Circuit Court.

Very truly yours,

LEONG KUNIHIRO BENTON & BROOKE

Scott G. Leong

SGL:sss

cc: Henry T. Nakamoto

NAKAMOTO, OKAMOTO & YAMAMOTO ATTORNEYS AT LAW, A LAW CORPORATION

187 KAPIOLANI STREET

ROY K. NAKAMOTO
ALAN M. OKAMOTO
JEREL I. YAMAMOTO
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187 KAPIOLANI STREET HILO, HAWAII 96720-2687 TELEPHONE (8 08) 961-0641 FAX (8 08) 935-3872

JEREL@NOYHAWAII.COM

September 18, 2017

Senator Brian Taniguchi Senate Judiciary Committee 415 South Beretania Street Honolulu, Hawaii 96813

Re: Third Circuit Court Judge - Henry Nakamoto

Dear Senator Taniguchi and Members of the Judiciary Committee:

I strongly urge the Senate to confirm Henry T. Nakamoto as the Circuit Court Judge for the Third Circuit. Judge Nakamoto is the best choice for the vacant Circuit Judge position.

I have known Judge Nakamoto in both a professional and personal capacity for over thirty-five years. He is as fine a human being as there is. He is always willing to help others and will do it in a pleasant and non-condescending way.

First of all, Judge Nakamoto is home grown. Except for going away to college and law school and working in Honolulu for a short period of time, Judge Nakamoto was born and raised in Hilo. He is a 1982 graduate of Waiakea High School with honors. After returning in 1991, he had been practicing law with his father Roy Nakamoto at the firm of Nakamoto, Okamoto & Yamamoto. He became a partner in 1993 and continuously practiced with the firm doing general civil litigation, family law, collections and evictions, general business law, and real estate litigation until he was selected in 2014 as a Family District Court Judge. He did excellent legal work and had excellent relations with clients and other attorneys. His demeanor, patience and calming personality was extremely useful in his practice. He was able to articulate his positions clearly and in an understandable fashion.

Judge Nakamoto possesses the integrity, skill and traits necessary to be an effective Circuit Court judge. From his practice, he has broad knowledge of many areas of the law. From his tenure on the bench, he has broadened his knowledge of the law. One of his strongest traits is that he uses common sense to move cases to its conclusion. He is practical and skillful in dealing with simple or complex cases or difficult parties or counsel. Judge Nakamoto is one of the fairest individuals I know, but is decisive. His good nature and even temperament will be invaluable assets on the bench.

Besides practicing law in Hilo, he put down his family roots here. He and wife Joyce and his two sons, Timothy and Jordan are part of the Hilo community. Although his duties keep him busy, he spends much of his time supporting his children in their education or extracurricular activities. Both of his boys excel in judo and wrestling. Despite his busy schedule, he shuttles them to practice several times a week. Judge Nakamoto would also volunteer his time with the

NAKAMOTO, OKAMOTO & YAMAMOTO ATTORNEYS AT LAW, A LAW CORPORATION

September 18, 2017 Page 2

boys' educational development by doing Junior Achievement classroom presentations or making sure they do their homework.

Judge Nakamoto also has deep ties to the community and was active in contributing back to the community. He served on numerous non-profit boards such as the Lehua Jaycees, Hawaii Island Adult Day Care, Waiakea Pirates Athletic Club, and the Waiakea High School Foundation.

Judge Nakamoto also was an active member of the bar. He served on the board of the Hawaii County Bar Association. He also was on the Young Lawyers Division Board for the Hawaii State Bar Association. He was selected as Grand Jury Counsel for the Third Circuit. He was a volunteer mock trial, participated on the Bench Bar Committee and participated in Law Week Meet a Lawyer programs or volunteered for Volunteer Legal Services workshops.

I strongly believe that his personality, demeanor and experience makes Judge Nakamoto best suited for this position. I respectfully ask that you favorably confirm his nomination to the Circuit Court bench.

Very truly yours,

Jerel I. Yamamoto

Tom Heinrich

From:

Jill Igawa <idigawa@gmail.com>

Sent:

Monday, September 18, 2017 11:47 AM

To:

JDCTestimony

Subject:

Judge Henry Nakamoto

Dear Senator Brian T. Taniguchi,

I am writing to you in support of Judge Henry Nakamoto for the appointment of Circuit Court Judge in the 3rd Circuit. I have known Henry Nakamoto since elementary school. For the last 40 plus years that I have known him, he is one of the most trustworthy, loyal, caring, and most of all humble person I know. I have trusted his honesty, intelligence, great common sense and most importantly, his friendship all these years. I think Henry has the experience and wisdom to be an excellent Circuit Court Judge. I thank you for considering Judge Henry Nakamoto.

Sincerely,

Derek Igawa

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

RE: Letter of Recommendation for Judge Henry T. Nakamoto

Dear Senator Taniguchi,

I write this letter in support of Judge Henry T. Nakamoto's nomination for the Big Island Circuit Court Judge position. I have known Judge Nakamoto for over 30 years as he has been a close friend growing up with my brother and I. His calm and patient disposition, along with his integrity and work ethic is not only important, but necessary for this most honorable position. Judge Henry Nakamoto would be a great asset to the judiciary court system. I highly recommend Judge Henry T. Nakamoto for the position of Circuit Court Judge for the Big Island of Hawaii. I am convinced that his contributions will have a positive impact in our community now and in the future.

Sincerely,

Darin T. Igawa Graphics Services Coordinator University of Hawai'i at Hilo



September 19, 2017

Sent via Email to: JDCtestimony@capitol.hawaii.gov

Senator Brian T. Taniguchi Chairman, Senate Judiciary Committee State Capitol 415 South Beretania Street Honolulu, Hawaii 96813

Re: Judge Henry Nakamoto - September 25, 2017 Hearing

Dear Chair Taniguchi and Members of the Committee:

It is my pleasure to highly recommend the confirmation of Henry Nakamoto to the Circuit Court, Third Circuit, State of Hawaii.

I have known Judge Nakamoto for over twenty years. He is of the highest integrity and moral courage. His keen intellect, balanced with his common sense and compassion, drives him to rendering wise decisions. Judge Nakamoto has remained humble and has not forgotten his roots. He is respectful, but at the same time remains an independent thinker.

Although he remains independent, I have always found him to be a team player. There is no doubt that his character and leadership will be an asset both to the Third Circuit and the Hawaii State Judiciary.

Finally, as a result of his background and experience, he has the ability to relate, communicate and empathize with people of different backgrounds. I have no doubt that he will make an excellent Circuit Court Judge.

Thank you for allowing me to express my strong support for his confirmation.

Very truly yours,

Kohn T. Komeiji

CLYDE T. OSHIRO

Certified Public Accountant 319 Kinoole Street Hilo, Hawaii 96720

Phone: (808) 935-0885 Fax: (808) 961-5881 e-mail: oshirocpa@hawaiiantel.net

September 19, 2017

The Honorable Senator Brian Taniguchi State Capitol 415 South Beretania Street Honolulu, Hawaii 96813

Dear Senator Taniguchi:

Re: Support Confirmation of Judge Henry Nakamoto to Third Circuit Court.

I have been a member of the Hilo community for more than 35 years. I have known Henry Nakamoto for more than 25 years both socially and professionally and believe that it would be hard to find a better person than Henry. His appointment and confirmation to the Bench of the Third Circuit Court will give our community the judicial continuity of good Judges.

Please confirm Judge Henry Nakamoto's appointment to the Third Circuit Court.

Clyde T. Oshiro

Tom Heinrich

From:

BERT WAGATSUMA < b.wagatsuma@yahoo.com>

Sent:

Tuesday, September 19, 2017 1:53 PM

To:

JDCTestimony

Subject:

Honorable Henry Nakamoto.

Sirs:

It gives me great pleasure to submit testimony in favor of confirming the Honorable Henry Nakamoto to the Circuit Court of the Third Circuit, State of Hawaii.

I have known Judge Nakamoto for over 25 years. We served on numerous non-profit boards together. It was in the Junior Chamber organization where I saw the beginnings of Mr. Nakamoto's skills in negotiating and arguing opposite view points. He was always thoughtful, objective and rational in his arguments. As we progressed to non-profit boards, his presentation of issues were processed in the same way. He also displayed a very calm demeanor in all arguments that I observed. I believe Mr. Nakamoto has carried these same traits as he serves as a family court judge and will do the same as a circuit court judge. Mr. Nakamoto is very well respected in the community of the big island of Hawaii.

Mr. Nakamoto is very qualified to be a circuit court judge.

Thank you for allowing me to submit this testimony.

Bert M. Wagatsuma, CPA

Gary Y. Murai 299 S. Alu Road Wailuku, Hawaji 96793-1511

September 21, 2017

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

Dear Senator Taniguchi and Members of the Senate Judiciary Committee:

RE: Measure GM1/Letter of support for confirmation of the appointment of Henry T. Nakamoto to fill the vacancy in the Third Circuit Court created by the retirement of the Honorable Glenn Hara

I write in support of the appointment of Henry Nakamoto as Circuit Court Judge for the Third Circuit Court.

I practiced law on the Big Island from 1990 to 2009, and have had many opportunities to observe Mr. Nakamoto in and out of court. In all my dealings with Mr. Nakamoto, he has always demonstrated the highest levels of legal knowledge and skill.

I moved to Maui before Mr. Nakamoto became a Family Court Judge so I have not had the privilege of appearing before him. However, my colleagues on the Big Island confirm that he is a well-informed, fair and compassionate judge.

I have also observed Mr. Nakamoto in public settings, and he has always conducted himself in a dignified manner, consistent with what you expect of a judge.

In closing, I humbly urge you to confirm Mr. Nakamoto to the Third Circuit Court bench. I am confident he will do a fine job. I can assure you that you will not regret your decision.

Sincerely,

/s/Gary Murai

Gary Y. Murai

BRIAN J IKAWA 1259-D Haihai St * Hilo, Hawaii 96720

September 21, 2017

SENATOR BRIAN T TANIGUCHI STATE CAPITOL 415 SOUTH BERETANIA ST HONOLULU, HI 96813

Dear Committee Members:

This is my request to please confirm Mr. Henry Nakamoto as the person to fill the vacancy left by the retirement of Judge Glenn Hara.

Years ago when Mr. Nakamoto first applied to become a District Court Judge, I honestly didn't know the characteristics of a good judge. I could, however, vouch for Mr. Nakamoto's outstanding personal traits (honesty, intelligence, fairness and great love for his family) and hoped that the selection committee would match those traits with that of a good judge.

When Mr. Nakamoto was selected as the District Court Judge, I felt that the State of Hawaii and its citizens got someone who would do an excellent job, proudly represent the judiciary system and be fair to everyone. In the time that Mr. Nakamoto has been a District Court Judge, it appears that this has happened.

If you confirm Mr. Nakamoto to be the next Circuit Court Judge, I am confident that he will diligently step-up to meet the new challenges, continue his excellent work and provide fairness to all.

Thank you for your consideration.

mai & fance

Aloha,

Brian J. Ikawa

NAKAMOTO, OKAMOTO & YAMAMOTO ATTORNEYS AT LAW, A LAW CORPORATION

187 KAPIOLANI STREET HILO, HAWAII 96720-2687 TELEPHONE (8 08) 961-0641 FAX (8 08) 935-3872

JEREL@NOYHAWAII.COM

September 21, 2017

Senator Brian Taniguchi Senate Judiciary Committee 415 South Beretania Street Honolulu, Hawaii 96813

ROY K. NAKAMOTO

ALAN M. OKAMOTO JEREL I. YAMAMOTO

JAMES H. KUNIMURA

Re: Third Circuit Court Judge - Henry Nakamoto

Dear Chair Taniguchi and Members of the Judiciary Committee:

I am writing in strong support for the confirmation of Judge Henry T. Nakamoto to the Third Circuit Court. In the 40 years that I have been practicing law on this Island, I consider Judge Nakamoto to be among the most capable persons to serve on the Circuit Court bench.

I knew him from the time he was growing up in Hilo and worked with him for 20 years in our law firm. In his professional practice, he was able to understand complex legal issues and communicate his analysis to clients and advise them appropriately as to their courses of action. He was able to do so even in difficult family law situations. In adversarial situations, he was always able to consider the strengths as well as the weaknesses of the positions on the other side of the dispute. He always treated everyone respectfully and was a very even-tempered person in his practice and in his personal life. Even in extreme situations, he could work well with opposing counsel, but if a dispute could not be resolved amicably was able to represent his clients' interest effectively in trials or contested proceedings. In the many occasions that I worked with him, I came to value his skills in dealing with other people as much as his legal skills.

Before he was appointed to the bench, Judge Nakamoto was well liked and respected in our community, whether he was involved with legal matters, those involving his sons' school activities, or in community service. He was exceptionally easy to work with and worked well with our staff throughout his time with us. I understand that also applies to his service after his appointment to Family Court.

The combination of Judge Nakamoto's legal ability and judicial temperament and his demonstrated service to his community makes him an exceptional candidate to fill this position and I ask that you consider those factor in confirming him a Circuit Judge.

NAKAMOTO, OKAMOTO & YAMAMOTO ATTORNEYS AT LAW, A LAW CORPORATION

September 21, 2017 Page 2

Very truly yours,

Alan M. Okamoto

a M. Ohto

Jeffrey Ng 1285 Malawaina Street Hilo, HI 96720 (808) 778-3924

September 21, 2017

Senator Brian T. Taniguchi, Chair Senator Karl Rhoads, Vice Chair Senate Committee on Judiciary State Capitol, Conference Room 016 415 South Beretania Street Honolulu, Hawaii 96815

Re: Letter in Strong Support of Henry T. Nakamoto to Serve as Circuit Court Judge of the Third Circuit

GM1- Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee Henry T. Nakamoto, for a term to expire in 10 years.

Dear Senator Taniguchi, Senator Rhoads, and Members of the Senate Committee on Judiciary:

I am submitting this letter in STRONG SUPPORT of Henry T. Nakamoto to serve as a Circuit Court Judge of the Third Circuit. I have appeared before Judge Nakamoto many times since he became a judge in 2014. He is always well prepared, thoughtful, and maintains excellent judicial temperament.

As a deputy public defender for the past fifteen years in Honolulu and now in Hilo, I have appeared before many district and circuit court judges. Based upon this experience, I strongly believe that Judge Nakamoto possesses the knowledge, demeanor, character, and other necessary qualifications to excel as a circuit court judge. I am confident that he will be an excellent addition to the Circuit Court of the Third Circuit bench.

Thank you for your consideration in this matter.

Tom Heinrich

From:

mailinglist@capitol.hawaii.gov

Sent:

Thursday, September 21, 2017 3:29 PM

To:

JDCTestimony

Cc:

takase505@yahoo.com

Subject:

Submitted testimony for GM1 on Sep 25, 2017 11:00AM (Written Only)

GM1

Submitted on: 9/21/2017

Testimony for on Sep 25, 2017 11:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Barbara Takase	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Tom Heinrich

From: Bill Heflin <bill@ianmattoch.com>

Sent: Friday, September 22, 2017 3:05 PM

To: JDCTestimony

Subject: GM-1 Submission of Testimony in Support of Henry T. Nakamoto for Circuit Court

Judge of the Third Circuit

September 22, 2017

Senator Brian T. Taniguchi, Chair Senator Karl Rhoads, Vice-Chair Committee Members

GM-1: Nomination of Henry T. Nakamoto for Circuit Court Judge of the Third Circuit

Senators:

It is my sincere pleasure to write to you in full support of Third Circuit Court Judge Nominee, Henry Nakamoto. I believe that Governor Ige made an excellent choice in selecting him, as he was clearly the best and most qualified candidate, and I strongly urge the Judicial Selection Committee and the Senate to confirm him. There are not enough superlatives available to describe his qualifications to be a Circuit Court Judge.

I have known Judge Nakamoto for many years in many different capacities. I first met him when I was clerking for Judge Riki May Amano, and found him to always be one of those attorneys who always showed up on time and well prepared for a hearing. (It is surprising how often that is not true of other attorneys!) Henry was always courteous and professional when I was law clerk, and highly knowledgeable in Civil and Family court law.

Later, when I was serving as an officer and President in the Hawaii County Bar Association, I worked with Judge Nakamoto who also served as board member, and U found him to be a very diligent, hardworking and compassionate person who devoted much time to the community in various capacities, that also included doing pro bono work and coaching his children's sports teams. My former office also worked with (and against) Judge Nakamoto multiple times in different cases, and I always found him to be a quiet, but highly effective advocate for his clients.

Since Judge Nakamoto was appointed as a District/Family Court Judge, I have also appeared in front of him multiple times in different cases, and he has always had an excellent judicial demeanor: he is compassionate, kind, knowledgeable, and I believe everyone who has appeared before him feel that their voices have been heard, even when he has ruled against him. Judge Nakamoto enjoys an excellent reputation throughout the Third Circuit as both an excellent attorney and Judge, and he has the highest level of legal knowledge and ability.

I believe that Judge Nakamoto will be able to effectively and expertly fulfill the responsibilities and duties of a Circuit Court Judge in the Third Circuit, and I strongly urge the Judicial Selection Committee and the Senate to find him to confirm him for this position.

Thank you for giving me an opportunity to express my support for Henry Nakamoto to be a Third Circuit Court Judge. If any member of the HSBA has any further questions or concerns regarding Judge Nakamoto's qualifications, please feel free to contact me at any time.

Truly yours,

William B. Heflin
(808) 969-3302 wk.
(808) 319-9040 cell
bill@ianmattoch.com
The Law Offices of Ian L. Mattoch
586 Kanoelehua Avenue
Hilo, HI 96720

BICKERTON - DANG A LIMITED LIABILITY LAW PARTNERSHIP

September 22, 2017

The Hon. Brian T. Taniguchi, Chair and members Senate Committee on Judiciary Honolulu, HI

Re: Henry T. Nakamoto

Nomination to Circuit Court of the Third Circuit

Dear Sen. Taniguchi and Committee Members,

I would like to take this means to heartily endorse Henry T. Nakamoto to the Third Circuit Court Judicial position here in Hilo. I have been practicing law in Hilo for 52 years, and I have known Henry for nearly 25 years. I know him to be a fine lawyer with impeccable integrity. He has been serving with distinction as an acting judge in the Third Circuit. I have had cases before him and have been impressed with his careful consideration of the issues involved. I have always found him to be honest and fair throughout his legal career.

I believe that Henry will be an honorable addition to the Third Circuit Court bench, and he has my wholehearted support.

Arend

Manley H. Rochrig

SHR/ghk

Tom Heinrich

From:

Tim Young <tsyoung96720@gmail.com>

Sent:

Saturday, September 23, 2017 8:21 PM

To:

JDCTestimony

Subject:

Nomination of Henry T. Nakamoto, Circuit Court of the Third Circuit

Honorable Senator Brian T. Taniguchi,

Henry Nakamoto and I were both Lehua Jaycees, a Hawaii Island chapter, of the United States Junior Chamber of Commerce.

We were both fortunate to have participated while the Jaycee ideal flourished among our later segment of baby boomers.

This was ground zero for our introduction to leadership training and civic organization on a higher platform which offered real financial and social consequences that impacted chapter credibility, the community segments served and each members involvement. Yet we were told that no one will fire you for not succeeding, everything is a learning experience and those you serve with today will be your friends for life.

Henry excelled as a Jaycee with his positive outlook and calm demeanor rallying members around him. This approach followed him through his successful career as an attorney and will surely benefit us all as Judge, Circuit Court of the Third Circuit.

I humbly ask for your support of Henry T. Nakamoto.

Respectfully,

Timothy S. Young P.O. Box 1473 Hilo, Hawaii 96721 (808) 935-7830 Law Offices of Brian J. De Lima

101 Aupuni Street, Suite 133 Hilo, Hawaii 96720

Phone: (808) 969-7707 Fax: (808) 969-6606

Senator Brian Taniguchi Chair of the Senate Committee on Judiciary State Senate Hawaii State Capitol Honolulu, Hawaii

Senator Taniguchi and members of the Committee:

I am writing in support of Gubernatorial nominees Henry T. Nakamoto and Robert D. S. Kim for confirmation as Circuit Court Judges of the Third Circuit. Both nominees are multi generational citizens of the State of Hawaii, whose families and children have attended public school in Hawaii. Public education for our nominees were valued by their families and provided the foundation for their pursuit of higher education and choice of careers.

I am personally acquainted with both of our nominees for several decades and am able to attest to qualities that the nominees possess which are: integrity, intelligence, ethics, judicial temperament, and empathy. We should all be proud that these two nominees are willing to publicly serve our community. Both nominees are highly qualified and have demonstrated in their private practice and public service, that they are both organized and hardworking.

Both nominees have a calm demeanor, quick wit, and coupled with their ability to communicate and explain legal principles to people of myriad backgrounds have earned them the reputation of not only listening but also fair and understanding. Both nominees will apply the law equally without regard to status or circumstances and will do the right thing even if it is not popular.

Both nominees have strong reputations for having superior legal minds and their stature within the legal community are of such reverence that all litigants will know that they will get fair and even handed treatment with perfect level of judicial temperament and that their rulings will conform to the law, be without prejudice, and be made within a reasonable time frame.

I urge that this Committee favorably recommend for confirmation Judge Henry T. Nakamoto and Robert D. S. Kim as Circuit Court Judges of the Third Circuit Court.

Tom Heinrich

From: Katherine A. Garson <kgarson@carlsmith.com>

Sent: Sunday, September 24, 2017 3:29 PM

To: JDCTestimony

Subject: Circuit Court Nominee Judge Henry Nakamoto

Dear Chairman Taniguchi, Vice Chairperson Rhoads and Committee Members,

I write in full support of Judge Henry T. Nakamoto's nomination to the position of Circuit Court Judge for the Third Circuit Court of the State of Hawai'i.

Although I have not had the opportunity to appear before Judge Nakamoto while he has been a District Court Judge, I had the opportunity to work with him as opposing counsel on a number of cases in private practice before he was appointed to the bench. As a private family law practitioner, Judge Nakamoto was always reasonable, easy to work with, courteous, and he knew the law. With a phone call, he and I could agree on what the issues of a case were going to be and only focus on those issues. In this way, our cases proceeded in the most expeditiously way possible and we saved our clients' money by not incurring attorney fees to litigate matters that should not be litigated. I have been told that he approaches cases that come before him in the same manner, and I would expect no less.

Judge Nakamoto always demonstrated impeccable integrity, and I have never heard anyone make a disparaging comment about him. He has the proper judicial temperament and a sound work ethic. I urge you to confirm him.

KATHERINE A. GARSON Partner | Carlsmith Ball LLP

Carlsmith Ball...

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Tom Heinrich

From:

Melinda R. Mizuno <melinda.mizuno@gmail.com>

Sent:

Sunday, September 24, 2017 9:34 PM

To: Subject: JDCTestimony Henry Nakamoto

Please accept my sincere endorsement of Henry Nakamoto. Our family has been friends with Henry since the late 1990s, before any of us became parents. Henry has always been a smart, respectful, good-humored man who kindly welcomed me into group when I began dating my husband who has known Henry since college.

I've seen Henry and his wife, Joyce, become doting parents who have raised their sons with high expectations and warm affection. Henry - and his family - are a great contribution to our Hilo community and I am confident that Henry can extend his contribution from the circuit court. He is an outstanding individual.

Thank you.

Aloha, Melinda R. Mizuno