

# CLARE. E. CONNORS

September 9, 2019

The Honorable Karl Rhoads, Chair  
and Members of the Judiciary Committee  
Committee on Judiciary  
Hawaii State Capitol  
415 So. Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members of the Judiciary Committee:

Re: GM1 - Nomination of Clyde J. Wadsworth  
Intermediate Court of Appeals

I submit this testimony in strong support of Clyde J. Wadsworth to serve as an Associate Judge on the Intermediate Court of Appeals. Most of my personal knowledge of Mr. Wadsworth comes from the last eight months, during which time we have worked together on behalf of the State of Hawai'i. He has been a true resource to the State and specifically, to the Department of the Attorney General (Department). Not only is he a highly skilled appellate attorney, as demonstrated both by his written and oral advocacy, he is frequently called upon to advise the Department in ongoing matters and disputes. He has been called upon in these instances because his deep understanding of the law, alongside his insight into possible appellate outcomes, has proven invaluable in assisting the Department in its many problem-solving endeavors.

As a result of this collaboration at the Department, Mr. Wadsworth has come to understand the challenges of the executive in governing, including in the implementation of judicial and legislative mandates. In his role as Solicitor General, he not only has defended the various branches of State government – including State agencies as well as the Legislature and the Judiciary – he has been a part of the task of ensuring that the Department's executive functions comport with governing laws and policies. The experience he has gained in this capacity will provide important insight for the judiciary.

While I cannot attest personally to the public causes Mr. Wadsworth championed before he became Solicitor General, I understand them to be just and worthy of one who now seeks to hold this position of trust on behalf of the public.

The State has before it a uniquely qualified candidate to assume this appellate office. I strongly support his nomination and look forward to his service on behalf of the State in a judicial capacity.

Sincerely,



Clare E. Connors

**TESTIMONY OF STEVEN H. LEVINSON BEFORE THE HAWAII SENATE  
COMMITTEE ON JUDICIARY IN SUPPORT OF MEASURE GM1 – CONFIRMATION  
OF GUBERNATORIAL NOMINEE CLYDE J. WADSWORTH AS ASSOCIATE JUDGE  
OF THE INTERMEDIATE COURT OF APPEALS**

September 10, 2019

Honorable Chair Rhoads, Vice Chair Wakai, and members of the Judiciary Committee, my name is Steven H. Levinson, and I testify in strong support of the Hawai'i Senate's confirmation of Governor Ige's nomination of Clyde J. Wadsworth to the position of Associate Judge of the Intermediate Court of Appeals for a ten-year term.

I have known Mr. Wadsworth since approximately 2009. I met him through my work with the ACLU of Hawai'i and my advocacy for marriage equality. We worked together regularly in both of those capacities. I value him as a friend and colleague. I have been privileged to interact with him in connection with the performance of his duties as the State's Solicitor General, a position that he has filled with distinction and grace.

Mr. Wadsworth is literally a "Super Lawyer," according to that publication. He taught legal writing at Hastings College of Law. He was co-counsel for the plaintiffs in the groundbreaking United States Supreme Court *Romer v. Evans* decision. His private law practice focused on complex business litigation and appeals, constitutional and civil rights litigation, and business torts. And, as mentioned, he has been an outstanding Solicitor General for the State of Hawai'i.

In my opinion, Mr. Wadsworth exhibits the quintessential judicial temperament. He is courteous, respectful, soft spoken, thoughtful, articulate, sophisticated, and eminently fair-minded. He can see all sides of a question clearly and has extraordinary analytical skills. He never loses his cool. I believe that Mr. Wadsworth's reputation in the community in all of these respects is exemplary. I believe that he is universally respected.

In my view, Mr. Wadsworth's commitment to achieving a just society is one of his driving motivations. As a member of the Intermediate Court of Appeals, he would be instrumental in the fair and just resolution of the legal disputes that come before that body.

Respectfully submitted,

Steven H. Levinson  
Associate Justice (Retired)  
Hawai'i Supreme Court



# LATE

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

**Clyde J. Wadsworth**  
**Associate Judge of the Intermediate Court of Appeals (GM1)**

TO: The Honorable Karl Rhoads, Chair  
The Honorable Glenn Wakai, Vice-Chair  
and Members of the Senate Committee on Judiciary

FROM: Derek R. Kobayashi  
President, Hawaii State Bar Association

Hearing: Tuesday, September 10, 2019 at 10:00 a.m.  
Conference Room 016  
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Clyde J. Wadsworth for the position of Associate Judge of the Intermediate Court of Appeals.

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

- 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.

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- Meeting of the President, the 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 Executive Director met with Mr. Wadsworth on September 6, 2019 to discuss the subcommittee's findings. On September 9<sup>th</sup>, Mr. Wadsworth was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Mr. Wadsworth was reviewed and the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Mr. Wadsworth in all 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

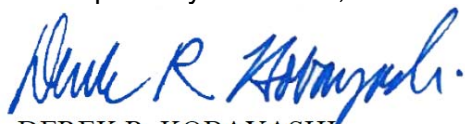
Since January of 2017, Clyde J. Wadsworth has served as the Solicitor General in the Department of the Attorney General for the State of Hawaii. In this capacity, the Nominee is the head of the Appellate Division with oversight authority over most State and Federal appeals involving the State of Hawaii. He has filed briefs on behalf of the State in the Hawaii Intermediate Court of Appeals, the Hawaii Supreme Court and the United States Supreme Court.

Mr. Wadsworth has extensive complex business litigation and appeals experience and has represented clients here in Hawaii and in the course of his previous work with some of the largest firms in Northern California. His areas of legal experience include securities, technology, contracts, antitrust, construction and financial services. The Nominee has an extensive pro bono resume devoting thousands of hours towards providing access to justice in significant civil rights cases. He has also been a law school instructor in California.

After the interview of the nominee, which included dialogue and questioning relating to his background, experiences, and reasons for pursuing the position of Associate Judge of the Intermediate Court of Appeals, the Board of the Hawaii State Bar Association found Mr. Clyde J. Wadsworth to be **QUALIFIED** for the position of Associate Judge of the Intermediate Court of Appeals.

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

Respectfully submitted,



DEREK R. KOBAYASHI  
President, Hawaii State Bar Association

September 7, 2019

To: Senate Judiciary Committee  
Re: GM1 - Nomination of Clyde Wadsworth

Aloha Senators,

This testimony is in strong support of the nomination of Clyde Wadsworth as an Associate Judge of the Intermediate Court of Appeals (ICA).

I had the pleasure of working with Clyde for five years when we were both attorneys in private practice. He represented his clients with skill, dedication and hard work. We have been personal friends for a total of fourteen years so I am also familiar with Clyde's excellent work as the State's Solicitor General and his pro bono work in support of civil rights.

Clyde has proven he has the skills, temperament and commitment to be an excellent ICA judge. Above all, he is committed to justice and fairness for every individual. He is an excellent listener who considers all viewpoints and interests before making decisions. He is extremely intelligent, humble, respectful, hard working and generous.

I urge this Committee to support Clyde's nomination and recommend him to the full Senate for confirmation.

Mahalo for your consideration of the above.

Barbara A. Krieg



**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [caron.m.inagaki@hawaii.gov](mailto:caron.m.inagaki@hawaii.gov)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Monday, September 9, 2019 12:09:42 AM

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**GM1**

Submitted on: 9/9/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
Caron Inagaki	Individual	Support	No

Comments: I am in strong support of Clyde Wadsworth joining the Intermediate Court of Appeals. As Solicitor General of the State of Hawaii, he has shown his keen ability to understand and apply the law fairly and justly. He will make an outstanding appellate judge.

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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CLAIRE WONG BLACK

**LATE**

September 8, 2019

The Honorable Karl Rhoads, Chair  
The Honorable Glenn Wakai, Vice Chair  
Senate Committee on Judiciary  
415 South Beretania Street, Room 204  
Honolulu, Hawai'i 96813

Re: **GM 1 Nomination of Clyde J. Wadsworth to the Intermediate Court of Appeals**  
**Tuesday, September 10, 2019, 10:00 a.m., Conference Room 016**

Chair Rhoads, Vice Chair Wakai, and Members of the Committee:

I write to strongly support GM 1 and the confirmation of Clyde J. Wadsworth as Associate Judge of the Hawaii Intermediate Court of Appeals. Thank you for this opportunity to testify.

I have known Clyde for eight years; I had the privilege and pleasure of working alongside him in private practice for five years at the law firm of Alston Hunt Floyd & Ing (AHFI), where he handled some of the firm's most challenging, complex, and high stakes matters. Clyde is exceptionally well qualified to be an appellate judge. He has extensive experience as an appellate practitioner in both the public and private sectors. He is a brilliant lawyer—his legal analysis is rigorous, his writing meticulous. He maintains an open-minded, even-handed approach to the law and I am certain that he would be a fair and impartial judge.

Clyde has exemplified commitment to the highest ideals of the judicial system throughout his career. As just one example, he devoted countless hours to pro bono work during his time in private practice, serving as pro bono counsel in the effort to safeguard civil rights in Hawai'i and nationally.

Clyde is also a wonderful human being. He is compassionate, even-tempered, and has a delightful (never unkind) sense of humor. He treats everyone with respect and dignity. I have seen him deal with opposing counsel in a calm, professional, courteous manner, even when—or perhaps especially when—that professionalism and civility is not reciprocated. As a colleague, Clyde was supportive and generous, always making time to provide guidance, insight, and ideas on cases. We all felt the loss of his legal acumen and camaraderie keenly when he left AHFI to serve as Solicitor General of the State of Hawai'i.

The professional excellence and personal qualities that made Clyde such a valued colleague will make him an outstanding addition to the appellate bench. I support his nomination without reservation. Thank you again for the opportunity to testify in support of GM 1.

Very truly yours,



Claire Wong Black



# LATE

**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [ihacraig@yahoo.com](mailto:ihacraig@yahoo.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Tuesday, September 10, 2019 8:19:47 AM

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## **GM1**

Submitted on: 9/10/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
Craig Iha	Individual	Support	No

Comments: Dear Chair Rhoads, Vice-Chair Wakai, and Members of the Committee: I am writing to express my strong support for the nomination of Clyde J. Wadsworth for the Intermediate Court of Appeals. I have practiced law since 1999, and in Hawaii since 2003. My practice has involved commercial litigation, advice and counsel, and other matters in both the private and government sectors. I submit this testimony in my individual capacity. I have known Mr. Wadsworth for the past several years through his work as Hawaii's Solicitor General. He has consistently represented the interests of the State vigorously, yet fairly and in a manner that always comports with the law and pertinent legal precedent. His mastery of some of the most complicated legal and appellate issues faced by attorneys in this state is also readily apparent in the skill of the deputy attorneys general that Mr. Wadsworth supervises. I believe that Mr. Wadsworth would make a fine judge because he possesses integrity, skill, compassion and the judicial temperament and respect for legal precedent necessary for appointment to the Bench. Thank you for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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# LATE

September 10, 2019

The Honorable Karl Rhoads, Chair  
The Honorable Glenn Wakai, Vice-Chair  
Senate Committee on Judiciary  
Thirtieth Legislature  
State of Hawaii  
State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: GM 1 – Gubernatorial Nominee, CLYDE J. WADSWORTH

Dear Chair Rhoads, Vice-Chair Wakai, and Members of the Committee:

I write in strong support of nominee CLYDE J. WADSWORTH as the Associate Judge of the Intermediate Court of Appeals, State of Hawaii. In my opinion, Clyde is perfectly suited for this position.

I have worked closely with and heavily depended upon Clyde as the Department of the Attorney General's Solicitor General for approximately 1.5 years, in my capacity as the Department's First Deputy Attorney General. Clyde's legal acumen, appellate expertise, and his fair and steady disposition have made him the model Solicitor General and make him ideally suited to be the next Associate Judge of the Intermediate Court of Appeals.

I will miss him as one of the Department's strongest and most reliable resources but recognize that he can continue to serve the State in this new and honorable role. I respectfully ask that you recommend him for confirmation.

Thank you for the opportunity to provide testimony.

Sincerely,



Dana Viola

September 4, 2019

Re: Testimony in support of the nomination of Clyde J. Wadsworth as Associate Judge of the Intermediate Court of Appeals (GM1)

Dear Mr. Chairman and members of the Committee on Judiciary,

I submit this testimony in support of the nomination of Clyde J. Wadsworth as Associate Judge of the Intermediate Court of Appeals.

As you may know, I served as an Associate Judge on the Intermediate Court of Appeals and care deeply about its continued success, efficiency and production. The Court needs an Associate Judge that has an excellent legal mind, writes clearly and concisely, is fair and impartial, brings no agenda, works well with others, and gives appropriate deference to precedent, the other branches of government, trial court judges and administrative agencies. It is also important that a nominee is accomplished in appellate practice before our state appellate courts so the nominee once confirmed can hit the ground running.

I know Mr. Wadsworth from his work before the Intermediate Court of Appeals and Hawaii Supreme Court. I have also had the privilege and pleasure of working with him on a number of cases since I retired as an appellate judge.

Clyde is exactly what the Intermediate Court of Appeal needs at this time. I have no doubt that he will work well with the other associate judges and fit in to the culture of the court.

Respectfully submitted.  
Daniel R. Foley

# LATE

Committee: Committee on Judiciary

Re: **G.M. 1**, Personal testimony of Daniel Gluck in **STRONG SUPPORT** of the confirmation of Clyde Wadsworth as a Judge of the Intermediate Court of Appeals

Hearing Date/Time: Tuesday, September 10, 2019, 10:00 a.m.

Dear Chair Rhoads, Vice Chair Wakai, and Committee Members:

In my personal capacity, I write in strong support of the confirmation of Clyde Wadsworth as a Judge of the Intermediate Court of Appeals.

Mr. Wadsworth is a gifted litigator and his writing skills and legal knowledge are superb. He is one of the most thoughtful, tempered, and measured attorneys I have had the pleasure to work with, and he stands out for his commitment to *pro bono* work. He is an excellent supervisor/trainer, he collaborates well with others, and he is both intelligent and hard-working. His recent work as Solicitor General on the Trump administration's travel bans is just one more example of his legal acumen and his dedication to public service.

Mr. Wadsworth will make an exceptional judge, as he is one of the rare attorneys who truly listens before he speaks. Throughout my career, and particularly in my previous position as Legal Director of the ACLU of Hawaii, I often consulted with Mr. Wadsworth on constitutional questions and litigation strategy; I always admire the way that he listens carefully and considers the question without interrupting with his own opinions. I have extensive experience working with him in a group setting, where he has always been very careful to listen to others' ideas before rushing to a conclusion. Even in stressful situations, he is always courteous and professional – I have never seen him act in a disrespectful manner toward anyone.

Mr. Wadsworth is very committed to serving the public. In private practice he spent extensive time working on various *pro bono* matters on behalf of marginalized individuals and groups.

Mr. Wadsworth was a wonderful supervisor and mentor during my time as a new associate at Alston Hunt Floyd & Ing from 2006-2007. He was respectful, professional, and patient, and took extra effort to provide me with professional training and development opportunities. Even with his demanding schedule with AHFI, he always took the time to assist me with anything I needed at the ACLU, whether it be co-counseling a case or advising me on how to handle a particularly complex procedural issue.

In sum, I support Clyde's confirmation wholeheartedly and without reservation. Thank you for considering this testimony.

Sincerely yours,

Daniel M. Gluck

# LATE



**DAVID S. BRUSTEIN**  
ATTORNEY AT LAW

August 9, 2019

Hawaii State Capitol  
415 S. Beretania Street  
Senate Judiciary Committee, Room 204  
Honolulu, Hawaii 96813

Re: **GM 1**  
**APPOINTMENT OF ASSOCIATE JUDGE OF THE INTERMEDIATE**  
**COURT OF APPEALS - CLYDE J. WADSWORTH**

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Dear Senate Judiciary Committee:

Please accept this letter of recommendation in support of Clyde J. Wadsworth, who I understand has been nominated for a judgeship for the Intermediate Court of Appeals (ICA) of the Hawaii State Judiciary, State of Hawaii.

I have known Clyde for almost six years. Clyde has provided legal services for the Hawaii LGBT Legacy Foundation of which I am a founding member. I have always found Clyde's research, writing and legal analytical abilities to be exemplary.

In my opinion, Clyde has always displayed the highest moral and ethical standards and I am proud to have him as a colleague and a friend. I would highly recommend Clyde for the position of ICA judge as I believe he would be a tremendous asset to the judiciary.

Should anyone reviewing this letter of recommendation have any questions or wish to discuss my opinions in further detail, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "David S. Brustein".

DAVID S. BRUSTEIN, ESQ.

DSB:mls

**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [dan@nchilaw.com](mailto:dan@nchilaw.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Thursday, September 5, 2019 10:35:04 AM

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**GM1**

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
David Nakashima	Individual	Support	No

Comments: This is in strong support of the nomination of Clyde Wadsworth (GM 1) as judge for the Hawai`i Intermediate Court of Appeals. I have worked with Clyde in private practice for a number of years. Clyde's legal analytical skills, thoughtfulness and integrity will serve him well as an appellate judge. The Hawai`i judiciary will benefit and be strengthened with Clyde's addition to the bench. Thank you.

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# LATE

**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [dean.a.soma@hawaii.gov](mailto:dean.a.soma@hawaii.gov)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Monday, September 9, 2019 4:37:26 PM

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## **GM1**

Submitted on: 9/9/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
Dean Soma	Individual	Support	No

Comments: I wholeheartedly endorse Clyde Wadsworth to be the next judge to the Intermediate Court of Appeals. Clyde is the Solicitor General of the State of Hawaii and supervises the Attorney General Appellate Division. He has served as pro bono counsel in several significant cases brought to safeguard LGBT civil rights, such as the landmark case of Romer v. Evans before the U.S. Supreme Court. In 2014, he successfully argued Hawaii's marriage equality case, Jackson v. Abercrombie, before the U.S. Ninth Circuit Court of Appeals. He is a past recipient of the Lambda Legal Liberty Award. Although a relatively quiet guy, Clyde is one of the few people that fights for what he believes in and tries to always be on the right side of history. His years of experience, especially in appellate law, would definitely make Clyde an asset as a member of the Intermediate Court of Appeal.

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GOODSILL

**LATE**

Deirdre Marie-Iha  
dmarie-iha@goodsill.com | (808) 547-5874

September 9, 2019

The Honorable Karl Rhoads, Senator  
Senate Committee on Judiciary  
Hawai'i State Capitol  
415 South Beretania St.  
Honolulu Hawaii 96813

Re: Nomination of Clyde J. Wadsworth to the  
Intermediate Court of Appeals

Dear Senator Rhoads and Members of the Committee

I write in strong support of Clyde Wadsworth, Esq., the Governor's nominee for the Intermediate Court of Appeals. Before I left for the private sector in 2018, I worked with Clyde at the Department of the Attorney General for about a year and a half. We worked on several important matters together and both served on the AG's committee that reviews appellate briefs. A few years ago we both participated in two panels with others about marriage equality. I am also familiar with his work from other cases before he joined the AG's office.

Clyde is intelligent, hard-working, analytical, and insightful. He brings appellate experience that will be invaluable to the ICA. He also has a calm and thoughtful demeanor which will serve him well as a judge. I think he will make an excellent addition to the ICA.

Very truly yours,

*s/ Deirdre Marie-Iha*

Deirdre Marie-Iha



TESTIMONY OF DIANE K. TAIRA

***IN SUPPORT***  
OF  
CLYDE J. WADSWORTH  
FOR  
THE INTERMEDIATE COURT OF APPEALS

GM 1

Tuesday, September 10, 2019, 10:00 am  
Conference Room 016, State Capitol

Chair Rhoads and Members of the Committee,

I write in full and enthusiastic support of my colleague at the Department of the Attorney General, Solicitor General Clyde Wadsworth, Governor David Ige's nominee for the Intermediate Court of Appeals.

During his time with our department, Clyde has demonstrated keen intelligence, the highest standards in ethics and work product and enviable skill. He has led the effort on many of our department's biggest and toughest cases. Most importantly, he has represented this department and the State honorably, win or lose.

Clyde is responsible for building and maintaining a top-notch Solicitor General office, staffed with the best and the brightest; an office that has increased its caseload under his stewardship. He and his deputies respond to and participate in some of our biggest cases and multi-state efforts, which in the past year have been many. They give valuable guidance to other attorneys in our department. Clyde has dedicated long hours to accomplish this, while also working his own caseload.

Some of Clyde's biggest or most impactful cases include:

- *In re Conservation Dist. Use Application HA-3568* (Thirty Meter Telescope), 143 Hawai'i 379 (2018). Clyde served as counsel for the State in the appeal challenging the permit to build the Thirty Meter Telescope. He argued before the Hawaii Supreme Court, which ruled 4-1 in the State's favor.
- *Flores v. Board of Land & Nat. Resources*, 143 Hawai'i 114 (2018). Clyde served as counsel for the State in the appeal challenging the sublease of land for the Thirty Meter Telescope. He argued before the Hawaii Supreme Court, which ruled unanimously in the State's favor.
- *Hamamoto v. Ige*, 881 F.3d 719 (9th Cir. 2018). Clyde served as counsel for the State in the appeal challenging the temporary appointment process to fill a vacated Senate seat. He argued before the Ninth Circuit, which ruled in the State's favor on mootness grounds.

- *LC v. MG*, 143 Hawai`i 302 (2018). Clyde served as counsel for the State as amicus curiae in an appeal of a family court order applying the marital presumption of parentage to a married same-sex couple. He argued before the Hawaii Supreme Court, which adopted the State's position and ruled that the marital presumption applied.
- *Hawai`i v. Trump*, 138 S. Ct. 2392 (2018), *rev'g* 878 F.3d 662 (9th Cir. 2017): Clyde served as co-counsel for the State in challenges to the President's travel and refugee bans. Clyde assisted in formulating strategy and edited briefs at the trial and appellate levels.

Beyond his impressive accomplishments and the accolades he has received, Clyde is importantly, very approachable and helpful. He does not wear his accomplishments on his sleeve. His demeanor will serve the Intermediate Court of Appeals, the Judiciary, and the State of Hawaii well.

If confirmed, my department will undoubtedly lose one of its biggest assets, but the State as a whole will gain tremendously.

Thank you for this opportunity to submit testimony.

A handwritten signature in black ink, appearing to read "Shane K. M.", with a long, sweeping flourish extending to the right.

**From:** [Donna Kalama](#)  
**To:** [JDCTestimony](#)  
**Subject:** GM 1, Clyde J. Wadsworth - Support  
**Date:** Monday, September 9, 2019 8:59:11 AM

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Chair Rhoads and members of the committee,

I fully support the appointment of Clyde J. Wadsworth to the Intermediate Court of Appeals. Mr. Wadsworth is a person of tremendous intellect, experience and ability and the highest ethics and integrity. He will be a wonderful member of our judiciary.

Mahalo,

Donna Kalama

September 5, 2019

The Honorable Karl Rhoads  
Chair, Senate Committee on Judiciary  
Hawai'i State Capitol, Room 204  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: GM 1 Testimony in Support of Clyde J. Wadsworth

Dear Chair Rhoads:

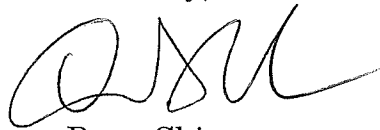
I respectfully submit testimony in support of Clyde Wadsworth's nomination.

I worked closely with the nominee after he left private practice and became the Solicitor General for the State of Hawai'i. During that time, he handled some tough appellate cases and was a key member of the *Hawai'i v. Trump* legal team that argued the Muslim ban case at various federal levels before it reached the U.S. Supreme Court.

I have deep respect for the nominee's professional achievements, judicial temperament and character. He is an outstanding legal scholar. The nominee has been an outstanding example in the legal community. He is unassuming, thorough, even-tempered, smart and hard-working.

Thank you for your consideration of Clyde Wadsworth as a judge on the Intermediate Court of Appeals.

Sincerely,



Doug Chin

September 9, 2019

Senator Karl Rhoads, Chair  
and Committee Members  
Committee on Judiciary  
State Capitol, Room 016  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: GM1  
Consideration and Confirmation to the Intermediate Court of Appeals as  
Associate Judge, Gubernatorial Nominee, Clyde J. Wadsworth; Testimony in  
Strong Support

Dear Chair Rhoads and Committee Members:

This testimony is submitted in strong support of the nomination of Clyde J. Wadsworth as Associate Judge for the Intermediate Court of Appeals.

I have not known Clyde for very many years – only since he became the Solicitor General in our Department (the Department of the Attorney General). As a fellow supervisor within the Department, I have had many opportunities to interact with Clyde. Clyde has assisted on a number of cases and issues my division has encountered.

Clyde is extremely intelligent, but also infuses practicality when making decisions or providing guidance. I have relied on Clyde on many cases for consultation on the various legal arguments we were contemplating. Clyde was always willing to assist and his analysis and recommendations were always well thought out and sound. I could count on Clyde to give me his honest opinion and assessment on any issue.

Clyde's integrity is unquestionable. Clyde will make an excellent Associate Judge in our Intermediate Court of Appeals.

Sincerely,



Holly T. Shikada

Ian L. Sandison  
3061 Pacific Heights Road  
Honolulu, Hawaii 96813

September 9, 2019

Hawaii State Senate  
Committee on Judiciary  
415 South Beretania Street, Room 204  
Honolulu, Hawaii 96813

Re: GM1 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, CLYDE J. WADSWORTH, for a term of 10 years.

Dear Chair Rhoads, Vice Chair Wakai and Members of the Committee,

I write in **strong support** of Clyde Wadsworth's confirmation as an Associate Judge on the Intermediate Court of Appeals.

It was my great pleasure to work closely with Mr. Wadsworth on the two most recent Hawaii Supreme Court appeals involving Mauna Kea and the Thirty Meter Telescope (Conservation District Use Application - SCOT-17-0000777 and TMT Sublease Consent - SCAP-17-0000059). In those appeals, Mr. Wadsworth lead the legal team representing the Board of Land and Natural Resources and I lead the team representing the University of Hawaii.

Throughout the long process of drafting the briefs, preparing for oral argument and ultimately prevailing on both matters, Mr. Wadsworth demonstrated the skills and knowledge that will make him an excellent appellate court judge. He dove into and learned lengthy and complex records, identified and understood the issues that were important on appeal, drafted clear easy to understand briefs, and explained his positions concisely and persuasively at oral argument. In all of this, Mr. Wadsworth demonstrated his strong work ethic, ability to work gracefully with a team of lawyers (no easy task), and independent thinking. His approach to the issues surrounding Mauna Kea demonstrated his concerns for all sides, patience, compassion and open mindedness.

The Intermediate Court of Appeals is busy hard-working court that is the ultimate decision maker on the vast majority of civil and criminal appeals. It needs judges who can work hard, write well, appropriately apply Supreme Court precedent, and efficiently move through a lot of cases. Mr. Wadsworth fits that bill. We will all be proud to have him on the court.

Very truly yours,

Ian L. Sandison

**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [jblainerogers@gmail.com](mailto:jblainerogers@gmail.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Thursday, September 5, 2019 8:14:25 AM

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**GM1**

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
James Blaine Rogers	Individual	Support	No

Comments: RE: GM1; Clyde Wadsworth I write in wholehearted support of the confirmation of Clyde Wadsworth to the Intermediate Court of Appeals. Clyde was my private practice colleague for approximately 10 years and his qualifications and suitability for the role are beyond reproach. Clyde is intelligent, analytical and possesses a fine legal mind. More importantly, he is humble, compassionate, diligent, and will strive to do justice. I can think of no better candidate for a position on the ICA and strongly encourage his prompt confirmation.

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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Dear Members of the Senate Judiciary Committee:

I submit this testimony in strong support of Clyde Wadsworth as Associate Judge of the Intermediate Court of Appeals. I worked with Clyde at the law firm Alston Hunt Floyd & Ing for a number of years before Clyde assumed the position of Solicitor General. During those years, I witnessed first-hand Clyde's deep commitment to the rule of law, his scholarly and fair-minded approach to advocacy as a litigator, and his sincere desire to apply the law to protect the interests of all citizens and residents.

If one were to judge Clyde solely through his written work product, what would be most evident is the strength of his writing and intellect. Any written opinion by Judge Wadsworth will be meticulously researched, clear in reasoning, and cogent. But what is more important, and what I had the privilege of observing as a colleague of Clyde's, is his curiosity and deliberative manner—and insistence that a final written product consider all arguments and issues, avoid quick and/or politically expedient answers, and remained grounded in practical considerations.

Clyde's work, both in private practice and in government, demonstrates a keen understanding that the law has a very broad impact on everyday individuals' civil rights and civil liberties. I admire Clyde's pro bono work on behalf of civil rights and marriage equality during his years as a private practitioner. As our Solicitor General, Clyde worked vigorously to protect the interests of our State.

We need judges who have the temperament to apply the law equitably and with fairness, the broad and practical knowledge and wisdom to write far-sighted opinions, and the hunger to seek justice. With a legal career that spans both private practice and governmental service, Clyde has all of these qualities and is uniquely qualified to serve on the Intermediate Court of Appeals.

Respectfully submitted,

John Rhee



September 7, 2019

Senator Karl Rhoads, Chair and Committee Members  
Senate Committee on Judiciary  
State Capitol, Conference Room 016  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: GM1 Appointment of Clyde J. Wadsworth to the Intermediate Court of Appeals

Dear Chair Rhoads, Vice Chair Wakai, and Members of the Committee on Judiciary,

I write in strong support of Clyde J. Wadsworth's confirmation to the Intermediate Court of Appeals as an Associate Judge.

Clyde has been my direct supervisor for the past two years. During this time, I have worked with Clyde on a daily basis, and I know him to be highly intelligent, diligent, thoughtful, and kind. He has the competence and experience to be an excellent judge, and the character to be an excellent colleague, supervisor, and mentor. I am confident he will be an asset to the court, and I wholeheartedly support his confirmation.

Very truly yours,

Kaliko'onalani Fernandes

On The Following Measure: **GM1, Consideration and Confirmation of Gubernatorial Nominee, Clyde J. Wadsworth, for a 10 year term to the Intermediate Court of Appeals as an Associate Judge**

Before the Senate Committee on Judiciary

Date: Tuesday, September 10, 2019 at 10:00 a.m.

Location: State Capitol, Room 16

Testifier: Kimberly Tsumoto Guidry

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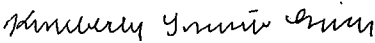
Chair Rhodes and Members of the Committee:

Clyde is well qualified to be an Intermediate Court of Appeals (ICA) Associate Judge, and I strongly support his confirmation to this important position.<sup>1</sup>

I know Clyde well. For the past two and a half years, Clyde has been the Hawai'i Solicitor General, and I have served as his first deputy solicitor general. During this time, I have come to know Clyde to be an intelligent, knowledgeable, and analytical attorney. He thinks deeply about legal issues, and conveys his thoughts clearly, both orally and in writing. I have no doubt that, as an ICA judge, he will author thoughtful, carefully nuanced opinions on the most complex legal issues. He is also a kind and honorable person, and would have an excellent judicial demeanor on the bench. He would be a positive role model and mentor to his future law clerks. His confirmation to the ICA would be a great service to the State.

I have the utmost confidence that, as Judge Wadsworth, Clyde will faithfully and diligently uphold the law. I think he will be an excellent judge in all respects. He has my full and unqualified support, and I respectfully urge his swift confirmation.

Sincerely,

  
Kimberly Tsumoto Guidry

---

<sup>1</sup> I express my support for Clyde in my individual, personal capacity, and not on behalf of the Hawai'i Department of the Attorney General.

Kristin L. Holland

Kailua, HI 96734  
kristinholland@gmail.com

September 6, 2019

Re: GM 1— *Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, CLYDE J. WADSWORTH, for a term of 10 years.*

To Whom It May Concern:

It is a privilege for me to support Clyde J. Wadsworth's nomination to be an Associate Judge of the Intermediate Court of Appeals. Clyde is my former colleague at Alston Hunt Floyd & Ing and has distinguished himself as an appellate attorney in both the private and public sectors. While I worked with him, he was our go-to appellate lawyer and I relied on him for his insight and strategic evaluation of cases on appeal on numerous occasions. He was always diligent, well-prepared, thoughtful and thorough in his case preparation. He extensively researched every legal argument before it was presented to the court in any brief. He had sound judgment and was always willing to work through issues until the client's best interests and all legal angles were evaluated completely.

Clyde is also a compassionate individual who has always used his prodigious legal talent to support civil rights. He is a tireless advocate for justice. He is a team player and a pleasure to work with.

In Clyde Wadsworth, the judiciary will be adding an exceptional lawyer and an outstanding person. I am honored to enthusiastically support his nomination. I can think of no better addition to the Intermediate Court of Appeals.

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

Sincerely,

/s/

Kristin L. Holland

September 8, 2019

Re: Gubernatorial Nominee Clyde J. Wadsworth for the Intermediate Court of Appeals

Dear Chair Rhoads, Vice Chair Wakai, and Members of the Committee on Judiciary:

I am a supervising Deputy Attorney General of the Department of the Attorney General and am writing to express my support for Clyde J. Wadsworth as an Associate Judge of the Intermediate Court of Appeals.

Clyde is extremely intelligent and together with his keen knowledge of the law, his analysis of issues is precisely on point. Clyde has experience in both government and private practice and would bring an in-depth understanding of both government and private issues to the Court. Clyde addresses issues brought to his attention with patience, integrity, and reasonableness, the qualities and demeanor essential for an appellate judge.

The appellate courts need intelligent, honest, and reasonable judges, all qualities possessed by Clyde. The State of Hawai'i would be fortunate to have Clyde J. Wadsworth serve as an Associate Judge of the Intermediate Court of Appeals.

Thank you for your consideration of this matter.

Very truly yours

/s/Li-Ann Yamashiro  
Li-Ann Yamashiro

**From:** [Loretta Sheehan](#)  
**To:** [JDCTestimony](#)  
**Cc:** [Loretta Sheehan](#)  
**Subject:** Nomination of Clyde Wadsworth to the Intermediate Court of Appeals  
**Date:** Saturday, September 7, 2019 12:45:15 PM

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To the Committee:

Please accept my recommendation of Clyde Wadsworth to the position of Judge, Intermediate Court of Appeals.

The Governor made an excellent pick when he selected Clyde to the position. Clyde is one of the smartest litigators I have ever encountered, and he will bring to the bench a scope of experience that few can match. He has worked in civil practice, volunteered with the ACLU, and served as our Solicitor General. With this experience, he is able to simultaneously see the minutia of an argument and the breadth of its impact. Clyde, however, will not just bring a brilliant mind to the bench. He will bring a heart that embraces the differences of all of us in Hawaii, and which understands the deep need for inclusion.

We live in challenging times. Questions of law of tremendous importance will continue to present themselves, and our state will need people like Clyde to answer those questions in a way that respects the rule of law and the needs of humanity.

I hope that Clyde will meet with your favorable consideration.

Thank you for allowing me this opportunity to provide testimony.

Loretta Sheehan

# LATE

**From:** [Ing, Louise K.Y.](#)  
**To:** [JDCTestimony](#)  
**Subject:** Written Testimony in support of ICA nominee Clyde Wadsworth; hearing 10 AM today, 9/10/19  
**Date:** Tuesday, September 10, 2019 8:21:16 AM

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Aloha, Judiciary Committee,

I write in strong support of Clyde Wadsworth's confirmation as Intermediate Court of Appeals judge. I am a litigation partner at Dentons, formerly Alston Hunt Floyd & Ing, and Clyde was a litigation colleague at our firm for many years before he decided to pursue his public interest calling by accepting the Solicitor General position with the State. We were sad to see him leave because he not only has excellent analytical skills but is an top-notch writer and advocate, besides having a calm, professional and pleasant demeanor and being extremely hard-working. He also is committed to the community, as demonstrated by his volunteer work on marriage equality and LGBT issues, and the trips he would make back to California to record commentaries for public radio in San Francisco.

He has wanted to serve as a judge for years, and I've supported several of his applications as he pursued that goal with focus and determination. I was so happy to see he had been selected as the ICA nominee by Governor Ige. Serving as an appellate judge on cases that are so important to the parties involved and bringing his intellect to bear on key legal issues is a perfect use of his skills.

My apologies for the last-minute testimony. I was reminded by an email that the hearing is today and I want to make sure I show my support for an excellent candidate.

Sincerely,  
Louise Ing  
Honolulu, Hawai`i  
Work: 808-441-6114



**Louise K.Y. Ing**  
A Law Corporation  
Licensed in Hawaii only

D +1 808 441 6114 | US Internal 86114  
[louise.ing@dentons.com](mailto:louise.ing@dentons.com)  
[Bio](#) | [Website](#)

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Larraín Rencoret > Hamilton Harrison & Mathews > Mardemootoo Balgobin > HPRP > Zain & Co. > Delany Lawn > Dinner Martin > Maclay Murray & Spens > Gallo Barrios Pickmann > Muñoz > Cardenas & Cardenas > Lopez Velarde > Rodyk > Boekel > OPF Partners

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**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [mwinter@davislevin.com](mailto:mwinter@davislevin.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Thursday, September 5, 2019 11:15:13 AM

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**GM1**

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
Matthew Winter	Individual	Support	No

Comments: Re: Recommendation of Clyde Wadsworth for ICA Associate Judge. I am writing to recommend Clyde Wadsworth as an ICA Associate Judge. I am a partner at Davis Levin Livingston specializing in plaintiff's personal injury cases. Prior to that, I was a federal public defender in Honolulu and in San Diego. I have known Clyde Wadsworth as an adversary, as a colleague on the ACLU's litigation committee, and as our State's Solicitor General. In all of these capacities, Clyde has shown that he is an excellent attorney, and one who would make an exceptional appellate judge. He is particularly skilled in complex litigation and legal writing — two skills that will help him to shine as an ICA Judge. However, the most important characteristic that Clyde possesses is his sense of Justice — and how it must apply equally to every member of our society. His tireless work with the Marriage Equality litigation, with his clients at Alston Hunt, with the ACLU, and now as Solicitor General, shows his deep commitment to our community as a whole. Please feel free to contact me if you have any questions. Sincerely, Matthew Winter Davis Levin Livingston (808) 524-7500 [mwinter@davislevin.com](mailto:mwinter@davislevin.com)

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From: [Mailing List](#)  
To: [JDCTestimony](#)  
Cc: [mheihre@cades.com](mailto:mheihre@cades.com)  
Subject: Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
Date: Sunday, September 8, 2019 4:19:02 PM

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**GM1**

Submitted on: 9/8/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Michael Heihre	Individual	Support	No

Comments: I write to support the nomination of Mr. Wadsworth. I have been a practicing litigation lawyer for more than 40 years. In that capacity, I had the opportunity to work on a major federal commercial litigation action in which Mr. Wadsworth and his firm represented a large corporate defendant and several of their officers and employees. I represented a large corporate defendant and its officers in that same action. The litigation involved complex, sophisticated legal, factual, and economic issues. It was heavily contested with the plaintiff represented by a Texas law firm and a well-known, very competent local law firm. The action was litigated in federal court, a certified question was submitted to the Hawaii Supreme Court on a first impression of state law, many depositions taken, numerous motions, summary judgments in favor of the defendants, an appeal to the Ninth Circuit which upheld the summary judgments after briefing and hearing oral argument, and post-judgment motions for fees and costs. In short, I saw Mr. Wadsworth actively engaged in almost every conceivable litigation phase, event, and outcome over the course of more than three years. On the basis of those observations, I offer the following opinions: Mr. Wadsworth is (1) in excellent, technically accomplished lawyer who thinks and writes with exceptional clarity and rigor; (2) in possession of an outstanding judicious and patient demeanor that projects a sense of fundamental fairness and objectivity; and (3) highly ethical, honest, and forthright in his interactions with all segments and levels of society. Respectfully, I submit that he will make an excellent appellate judge and will bring credit to the judiciary if his nomination is confirmed. Thank you. Michael Heihre

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**From:** [Kacprowski, Nickolas A.](#)  
**To:** [JDCTestimony](#)  
**Subject:** Testimony in Favor of ICA Nominee Clyde Wadsworth  
**Date:** Friday, September 6, 2019 11:15:21 AM

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Dear Judiciary Committee,

I write to offer my strong support for the nomination of Clyde Wadsworth for the Intermediate Court of Appeals. I am a lawyer and a partner in the Honolulu office of Dentons US LLP (formerly Alston Hunt Floyd & Ing). I've known Clyde Wadsworth for many years and was a colleague of his at the same law firm. I believe he is an outstanding choice for the ICA for a number of reasons:

1. He is one of the smartest lawyers I have ever known.
2. He has a very thoughtful and considerate temperament that is ideal for an appellate judge.
3. He has been involved in community service and pro bono to a substantial degree more than most lawyers in private practice, showing his dedication and commitment to the community go above and beyond.
4. As an LGBT lawyer and an early advocate of LGBT rights, he will bring diversity to our state's bench.

There are probably dozens of other qualities I could list, but I will stop here, as I think these show Clyde's strengths and qualification for this position.

Very Truly Yours,

**Nickolas A. Kacprowski**

A Law Corporation  
Partner

D +1 808 441 6131 | US Internal 86131  
[nickolas.kacprowski@dentons.com](mailto:nickolas.kacprowski@dentons.com)  
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## **TESTIMONY**

**Senate Committee on Judiciary  
Tuesday, September 10, 2019  
10:00 a.m.  
State Capitol, Conference room 016**

**GM 1, Consideration and Confirmation of  
Clyde J. Wadsworth  
to the Intermediate Court of Appeals as  
Associate Judge**

Chair Rhoads, Vice-Chair Waki, and Committee Members,

My name is Patricia Ohara and I am a Supervising Deputy Attorney General with the Department of the Attorney General. I strongly support the nominee Clyde J. Wadsworth for the position of Associate Judge of the Intermediate Court of Appeals of the State of Hawaii.

Clyde has been heavily involved with the work of the Department of the Attorney General. As the State's Solicitor General, he supervises the Department's Appellate Division and as such, is familiar with and understands the myriad of important issues facing the State today. I have had the opportunity to consult with Clyde on many issues and have found him to be unfailingly considerate, prepared, and helpful. Clyde's experience in the private sector and with this office enables him to quickly understand the issues at hand and to make his arguments in a concise and persuasive manner.

I believe Clyde's interest in public service and the high caliber of his legal experience will greatly contribute to the operations of the Intermediate Court of Appeals. He is abundantly qualified to participate on the bench as an Associate Judge, and I strongly urge the Committee to recommend him for confirmation.

Thank you for the opportunity to provide this testimony.

2018 Keeaumoku Street  
Honolulu, Hawai'i 96822  
September 6, 2019

Senator Karl Rhoads, Chair  
Senator Glenn Wakai, Vice Chair  
Senate Committee on Judiciary

Re: Written Testimony in Support of Nomination of Clyde J. Wadsworth for Intermediate Court of Appeals (GM1, hearing on September 10, 2019, 10:00 a.m., Conference Room 016)

Dear Chair Rhoads, Vice Chair Wakai, and Members of the Committee:

I strongly support the nomination of Clyde J. Wadsworth for the position of Associate Judge of the Intermediate Court of Appeals.

I have known Clyde for several years, even before he joined the Department of the Attorney General. I first met Clyde when he was still in private practice during one of the major same-sex marriage cases in Hawai'i -- *Jackson v. Abercrombie*. And when Clyde joined the Department as the State Solicitor General, I had the privilege of working under his supervision as a Deputy Solicitor General.

Consequently, I have worked closely with Clyde through the years and I can say without a doubt that he is an outstanding lawyer and possesses an exceptional legal mind. When dealing with complex cases, it is easy to get lost in the legal doctrines and lose sight of the big picture, or even common sense. But having worked with Clyde for several years, I can tell you that, fundamentally, he possesses good and sound judgment and will make wise decisions. I am certain that Clyde will be a wonderful addition to Hawaii's Judiciary.

(Please note that this letter reflects my personal opinion and does not indicate the position of my department or superiors.)

Sincerely,



Robert T. Nakatsuji

September 9, 2019

The Honorable Karl Rhoads, Chair  
Senate Judiciary Committee  
State Capitol, Room 204  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: GM1 – Gubernatorial Nominee Clyde J. Wadsworth

Chair Rhoads and Members of the Judiciary Committee:

I support Governor Ige's nomination of Clyde Wadsworth for Judge of the Intermediate Court of Appeals, State of Hawaii.

I am a deputy in the Department of the Attorney General and have worked with Clyde for the last few years. My comments are based on my experience working with him.

As Solicitor General of the State of Hawaii, Clyde is the supervisor of the Appellate Division. In this capacity, he has ultimate responsibility for the most important appeals in which the State or one of its officers and/or agencies is a party. Clyde, himself, is an accomplished writer; his legal briefs are well-researched, well-constructed and persuasive. He is also an experienced and capable oral advocate.

I have worked with Clyde on an appellate and opinion review committee in the department and have found him to be easy to work with and collegial with an easy-going sense of humor. He frequently leads discussions concerning the drafts of briefs that come before the committee and although he has clear ideas about the issues and arguments to be raised, he is also open to others.

In short, Clyde will be an excellent addition to the Intermediate Court of Appeals.

Thank you for the opportunity to make these comments in support of Clyde Wadsworth's nomination.

Robyn B. Chun  
Deputy Attorney General

# LATE

**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [rshinyama@wik.com](mailto:rshinyama@wik.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Monday, September 9, 2019 1:40:32 PM

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## **GM1**

Submitted on: 9/9/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testifying in Person</b>
Ross Shinyama	Individual	Support	No

Comments: I write in support of Clyde J. Wadsworth for the current vacancy with our Intermediate Court of Appeals (“ICA”). I have worked closely with Mr. Wadsworth over the past couple of years and have found him to be highly competent, hard-working, and ethically steadfast. I believe that he has the requisite combination of intellect, both legal and practical, and judicial temperament to excel at the ICA. I believe he will serve our great State well as an appellate jurist and greatly support his application to the ICA.

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**From:** [Mailing List](#)  
**To:** [JDCTestimony](#)  
**Cc:** [waynejchi@gmail.com](mailto:waynejchi@gmail.com)  
**Subject:** Submitted testimony for GM1 on Sep 10, 2019 10:00AM (Written Only)  
**Date:** Wednesday, September 4, 2019 9:13:19 PM

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**GM1**

Submitted on: 9/4/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Wayne Chi	Individual	Support	No

Comments: Dear Hawaii State Legislature: I fully support the nomination and confirmation of Clyde Wadsworth to the ICA. I have known him personally for many years and know that he is thoughtful, considerate, and exceptionally well qualified for the ICA. Clyde's calm demeanor and ability to navigate through the thickets of the legal system is admirable. I know Clyde will strengthen both the ICA's and the State's judiciary system. He will also bring diversity to the bench. Thank you for your consideration, Wayne J. Chi, Esq. (Hawaii State Bar active, California State Bar in active)

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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# LATE

BEFORE THE

SENATE COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Glenn Wakai, Vice Chair

TESTIMONY OF

WILLIAM M. KANEKO

1001 Bishop Street Suite 1800

Honolulu, Hawai'i 96813

808-524-1800

Tuesday, September 10, 2019

10:00 a.m.

Conference Room 016

GM1: Consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, CLYDE J. WADSWORTH, for a term of 10 years

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Chair Rhoads, Vice Chair Wakai, and members of the Senate Committee on Judiciary:

My name is William Kaneko, and I am a licensed attorney in Hawai'i. I am writing in STRONG SUPPORT of Clyde J. Wadsworth to serve as Associate Judge for the Intermediate Court of Appeals. I have known Clyde for nearly a decade when we worked together at Alston Hunt Floyd & Ing, and have first-hand knowledge of Clyde's legal skills, temperament and understand of the law. He was one of the firm's top and most skilled litigators who worked on highly complex litigation matters.

Clyde currently serves as Solicitor General for the State of Hawai'i. In that role, Clyde has oversight authority over most state and federal appeals for the Attorney General's office. With such experience, Clyde has intimate knowledge and experience on appellate matters before the ICA.

With over 30 years of litigation experience, including appellate litigation, Clyde would be an outstanding member of the ICA.

I strongly support Clyde's nomination to the ICA. Thank you for the opportunity to testify.

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Dear Committee Members

I am a deputy attorney general with the State Department of Attorney General but this testimony is submitted in my personal capacity.

I first got to know Clyde when I represented the legislature in the federal court lawsuit that sought to invalidate the State's same sex marriage prohibition (since changed of course). Although Clyde and I were on opposite sides, I was very impressed with his intelligence, demeanor, and willingness to cooperate where possible.

Since his appointment as Solicitor General, it has been my pleasure and honor to work with Clyde on numerous cases. He has a remarkable ability to digest masses of information and explain that information in a cogent way. Just for one example, I have worked on the Mauna Kea matter for years, including sitting through many days of the contested case. The Attorney General asked Clyde to argue the case in the Supreme Court. It was amazing to watch Clyde go (in a few short months) from knowing nothing about the case to making his terrific (and successful) oral argument.

My only reservation to recommending confirmation is that I had a secret hope that Clyde would be held in reserve for the upcoming Supreme Court vacancy. But now that he is before you, please confirm him as ICA judge.

Thank you.

William Wynhoff