

# STARN · O'TOOLE · MARCUS & FISHER

A L A W C O R P O R A T I O N

*Fierce Warriors, Innovative Dealmakers*

Starn O'Toole Marcus & Fisher is a leader among Hawaii's law firms, recognized for its expertise in real estate law, commercial transactions and complex commercial litigation in Hawaii, the U.S. mainland and internationally. The firm's intellectual power, mental strength and toughness generate winning strategies, strong negotiations and innovative settlements for clients. Above all, the firm's passion for excellence and responsive client service has earned an international reputation for extraordinary client results. Accolades include:

**Top "AV Preeminent Rating" - *Martindale-Hubbell***

**"Top Listed" among Hawaii law firms, *U.S. News & World Report-Best Lawyers*® *Best Law Firms***

**Seven Named "Lawyers of the Year" - *Best Lawyers in America***®  
*More "Lawyers of the Year" than any other Hawaii Law Firm (2014, 2015)*  
*Administrative/Regulatory Law*  
*Appellate Practice*  
*Corporate Law*  
*Government Relations Law*  
*Banking & Finance Litigation*  
*Bet-The-Company Litigation*  
*Product Liability Litigation*

**Nine Best Lawyers – *Best Lawyers in America***®  
*Named in 30 Practice Areas*

**Four Lawyers Among the "Top 25" Lawyers in Hawaii, *Super Lawyers***®  
*More "Top 25" attorneys than any other Hawaii Law Firm (2011, 2014)*

**Eight Hawaii *Super Lawyers*® & Three "Rising Star"- *Super Lawyers***®  
*Business Litigation – Real Estate Law*

**Lawyer Named "Star" by *Chambers USA Directory of Leading Lawyers for Business***  
*Business Litigation*

**Seven Lawyers Ranked by *Chambers USA Directory Leading Lawyers for Business***  
*Business Litigation – Real Estate Law*

**Lawyer Named "Top 250 Women in Litigation"- *Benchmark Litigation***  
*(2012-2014)*

**Four Lawyers Named "Litigation Stars" and One "Future Star" by *Benchmark Litigation***  
*Highly Recommended Law Firm*

**Three Lawyers Named "Appellate Stars" and by *Benchmark Appellate***  
*Highly Recommended Law Firm*

**Two Lawyers Named "Plaintiff Stars" by *Benchmark Plaintiff***  
*Highly Recommended Law Firm*

**AV Rated By *Martindale-Hubbell*®**

Peter Starn, Terence J. O'Toole, Kenneth B. Marcus, Duane R. Fisher, Sharon V. Lovejoy,  
Trevor A. Brown, Ivan M. Lui-Kwan, Norman H.Y. Cheng, Mark J. Bennett, Andrew J. Lautenbach,  
Judith Ann Pavey, Stephanie E.W. Thompson, Christine W. Ohira

***U.S. News & World Report - Best Lawyers in America*® , *Best Law Firms***

**First Tier Ranking**

Administrative/Regulatory Law, Antitrust Law, Appellate Practice, Arbitration, Business Organizations,  
Commercial Litigation, Construction Law, Corporate Law, Government Relations Practice,  
Litigation-Banking & Finance, Litigation-Construction, Litigation-Real Estate,  
Mergers & Acquisitions Law, Mortgage Banking Foreclosure Law, Real Estate Law

***Best Lawyers in America*® - "Lawyer of the Year"**

*More "Lawyers of the Year" than any other Hawaii Law Firm (2014, 2015)*

Lawyer of the Year (2014)	Peter Starn	Administrative/Regulatory Law
Lawyer of the Year (2011)	Terence J. O'Toole	Bet-The-Company Litigation
Lawyer of the Year (2012)	Terence J. O'Toole	Banking & Finance Litigation
Lawyer of the Year (2014)	Terence J. O'Toole	Appellate Practice
Lawyer of the Year (2015)	Terence J. O'Toole	Banking & Finance Litigation
Lawyer of the Year (2015)	Duane R. Fisher	Corporate Law
Lawyer of the Year (2014)	Sharon V. Lovejoy	Banking & Finance Litigation
Lawyer of the Year (2015)	Sharon V. Lovejoy	Mortgage Banking Foreclosure Law
Lawyer of the Year (2015)	Ivan M. Lui-Kwan	Government Relations Practice
Lawyer of the Year (2015)	Mark J. Bennett	Appellate Practice
Lawyer of the Year (2013)	Judith Ann Pavey	Banking & Finance Litigation
Lawyer of the Year (2014)	Judith Ann Pavey	Product Liability Litigation

***Best Lawyers in America*®**

Peter Starn	Administrative/Regulatory Law Business Organizations Corporate Law Construction Law Leisure & Hospitality Law Real Estate Law
Terence J. O'Toole	Appellate Practice Arbitration Bet-The-Company Litigation Commercial Litigation Litigation-Banking & Finance Litigation-Construction Litigation-Mergers & Acquisition Litigation-Real Estate

***Best Lawyers in America®***

Kenneth B. Marcus	Business Organizations Leisure & Hospitality Law Mergers & Acquisition Law Real Estate Law
Duane R. Fisher	Real Estate Law Construction Law Corporate Law
Sharon V. Lovejoy	Appellate Practice Arbitration Commercial Litigation Litigation-Banking & Finance Litigation-Construction Litigation-Real Estate Mortgage Banking Foreclosure Law
Trevor A. Brown	Business Organizations Closely Held Companies and Family Businesses Commercial Litigation Commercial Transactions/UCC Law Corporate Law Litigation-Trusts and Estates Mortgage Banking Foreclosure Law Trusts & Estates Litigation
Ivan Lui-Kwan	Administrative/Regulatory Law Governmental Relations Law
Mark J. Bennett	Antitrust Law Antitrust Litigation Appellate Practice Bet-The-Company Litigation Commercial Litigation Government Contracts Litigation-Environmental Litigation-Insurance
Judith Ann Pavey	Commercial Litigation Legal Malpractice Law Litigation-Banking & Finance Medical Malpractice Law Personal Injury Litigation-Plaintiffs Product Liability Litigation

**Top Listed, Top 25 Lawyers in Hawaii, *Super Lawyers®***  
*More "Top 25" attorneys than any other Hawaii Law Firm, (2011,2014)*

Terence J. O'Toole	2011
Duane R. Fisher	2014
Kenneth B. Marcus	2011-2012,2014
Mark J. Bennett	2011-2014

*Hawaii Super Lawyers®*

Peter Starn	Real Estate
Sharon V. Lovejoy	Business Litigation
Trevor A. Brown	Business Litigation
Judith Ann Pavey	Business Litigation
Andrew J. Lautenbach	Business Litigation, Rising Star
Stephanie E.W. Thompson	Business Litigation, Rising Star
Brandi B. Buehn	Business Litigation, Rising Star

**Recognized by *Chambers USA Leading Lawyers For Business***

Peter Starn	Real Estate, Corporate Commercial
Kenneth B. Marcus	Real Estate, Corporate Commercial
Duane R. Fisher	Real Estate
Norman H.Y. Cheng	Real Estate
Terence J. O'Toole	Litigation/General Commercial, Star
Mark J. Bennett	Litigation/General Commercial
Judith Ann Pavey	Litigation/General Commercial

**Benchmark Litigation**

Terence J. O'Toole	Litigation Star
Sharon V. Lovejoy	Litigation Star
Mark J. Bennett	Litigation Star
Trevor A. Brown	Future Rising Star

**Benchmark Appellate**

Terence J. O'Toole	Appellate Star
Sharon V. Lovejoy	Appellate Star
Mark J. Bennett	Appellate Star

**Benchmark Plaintiff**

Terence J. O'Toole	Plaintiff Star
Judith Ann Pavey	Plaintiff Star

## FIRM OVERVIEW

Starn O'Toole Marcus & Fisher is a leader among Hawaii's real estate and business law firms, recognized for its expertise in real estate law, commercial transactions and complex commercial litigation in Hawaii, the U.S. mainland and internationally. Transactional and litigation teams often join forces in complex commercial matters that require both business law and litigation experience. The firm's intellectual power, mental strength and toughness generate winning strategies, strong negotiations and innovative settlements for clients. Above all, the firm's passion for excellence and responsive client service has earned the firm an international reputation for extraordinary client results.

Our Hawaii real estate law firm is Top-Listed by *U.S. News & World Report-Best Lawyers®* "Best Law Firms", and recognized Tier 1 in 15 practice areas: Administrative/Regulatory Law, Antitrust Law, Appellate Practice, Arbitration, Business Organizations, Commercial Litigation, Construction Law, Corporate Law, Government Relations Practice, Litigation-Banking & Finance, Litigation-Construction, Litigation-Real Estate, Mergers & Acquisitions Law, Mortgage Banking Foreclosure Law, and Real Estate Law.

The firm has earned *Martindale-Hubbell's®* highest AV Preeminent rating, given by our legal peers for professional excellence. The firm has attorneys who are among *Hawaii Super Lawyers®* Top Listed, Top 25 in the practice areas of litigation and real estate law. The firm has attorneys who have been recognized as *Best Lawyers®*, "Lawyers of the Year" in transactional and litigation practice areas.

**LITIGATION** Starn O'Toole Marcus & Fisher's litigation powerhouse has extensive experience, including significant jury and non-jury trial work, in complex commercial litigation encompassing business, corporate, contract and accounting issues related to Hawaii real estate development, corporate ownership and management, the hotel and hospitality industry, environmental matters, construction claims, lender liability, class actions and personal injury. Our litigation team has trial expertise before State and Federal courts in Hawaii and the U.S. mainland, including the U.S. Supreme Court, and has served as litigation general counsel before courts in foreign jurisdictions. The firm's litigation attorneys are amongst a handful of select "go-to" lawyers when clients are faced with complex commercial issues.

**TRIAL APPROACH** Victory in the legal environment means triumph: economic satisfaction, a win-win agreement, or sometimes, just being proclaimed right.

The importance of the *path* to victory-strategies, players, and desired outcomes - make the selection of the legal trial team critical for success. The job is to design a roadmap that considers each twist and turn that may be presented. The experience and intellectual brainpower of the client's trial attorneys often accounts for the outcome of litigation by crafting each move on the battlefield along the way.

Starn O'Toole Marcus & Fisher's litigation attorneys take the fight for every client as if it were their own battle. To be personally responsible and involved is a hallmark of the law firm, which is built on the power of its people.

The firm's Hawaii litigation attorneys are recognized by *Best Lawyers in America*®, *Hawaii Super Lawyers*®, *Benchmark Litigation*, *Benchmark Appellate*, *Benchmark Plaintiff*, *Chambers and Partners USA Directory of Leading Lawyers for Business* and the *Bar Register of Preeminent Lawyers*™.

Starn O'Toole Marcus & Fisher's litigation attorneys are rated AV Preeminent, *Martindale-Hubbell's*® highest rating possible.

**Terence J. O'Toole** has been named *Best Lawyers*®, "*Lawyer of the Year*", selected for inclusion on the *Top 25*, *Hawaii Super Lawyers*® list, and a Star by *Chambers USA* and *Benchmark Litigation*.

**Sharon V. Lovejoy** has been selected for inclusion by *Benchmark Litigation's Top 250 Women in Litigation in the United States*, named *Best Lawyers*®, "*Lawyer of the Year*", selected for inclusion on the *Hawaii Super Lawyers*® list, and is a Fellow of the Litigation Counsel of America.

**Trevor A. Brown** has been recognized in *Best Lawyers*® in several categories, selected for inclusion on the *Hawaii Super Lawyers*® list, in *Benchmark Litigation* and has served as Chair of the Litigation Section of the Hawaii State Bar Association.

**Mark J. Bennett** has been selected for inclusion on the *Top Listed*, *Top 25 Hawaii Super Lawyers*® list, in *Best Lawyers*®, "*Lawyer of the Year*", and *Chambers USA*, a former Hawaii Attorney General, and is a Fellow of the American College of Trial Lawyers.

**Judith Ann Pavey** has been named *Best Lawyers*®, "*Lawyer of the Year*", selected for inclusion on the *Hawaii Super Lawyers*® list, in *Chambers USA*, and a member of the American Board of Trial Lawyers, American Association of Justice and the American Inns of Court, and practices both commercial and personal injury litigation.

**Andrew J. Lautenbach** has been selected for inclusion on the *Hawaii Super Lawyers*®, *Rising Star* list, rated AV Preeminent, *Martindale-Hubbell's*® highest rating possible for his skill and integrity, and serves as a Director on the Board of the Hawaii Chapter of the Federal Bar Association.

**TRANSACTIONAL** Starn O'Toole Marcus & Fisher's business law attorneys are known for sophisticated case analysis and innovative business solutions for complex matters. The transactional team has significant experience in Hawaii real estate development and transactions, hotels, hotel management agreements, corporate finance, international transactions, secured transactions, mergers and acquisitions, construction law and complex commercial matters.

The firm's impressive skill and experience in strategic case planning, ingenious solutions and powerful negotiations in all aspects of complex real estate transactions has opened many doors for domestic and international clients, helping them navigate Hawaii's complex land use and permitting laws.

**TRANSACTIONAL APPROACH** Starn O’Toole Marcus & Fisher transactional attorneys have an innate talent for critical thinking through each complex commercial matter. What’s more, solving the pieces of a puzzle, examining the players, unraveling the details of agreements and handshake deals, to identify the keys that give the client the clear advantage, is what they relish.

In today’s complex competitive environment, firm transactional attorneys shine when approaching the deal table. Strong, experienced and prepared for every possible move and counter-move, firm attorneys drive for exceptional results for every client.

Law firm transactional attorneys are recognized by *Best Lawyers in America*®, *Hawaii Super Lawyers*®, *Chambers and Partners USA Directory of Leading Lawyers for Business* and the *Bar Register of Preeminent Lawyers*™.

Firm transactional attorneys are rated AV Preeminent, the highest rating possible by *Martindale-Hubbell*®, a distinction given by our legal peers recognizing skill, ethics and integrity.

Law firm founder, **Peter Starn**, is a *Best Lawyers*®, “*Lawyer of the Year*”, selected for inclusion on the *Hawaii Super Lawyers*® list, in *Chambers USA*, and is recognized for his expertise in real estate and corporate law. He is pro-bono legal counsel for the Pacific Aviation Museum Board.

**Kenneth B. Marcus** is in *Best Lawyers*®, selected for inclusion on the *Top Listed, Top 25 Hawaii Super Lawyers*® list, in *Chambers USA* and is a member of the International Society of Hospitality Consultants (ISHC).

**Duane R. Fisher** is co-founder of the firm, in *Best Lawyers*®, “*Lawyer of the Year*”, selected for inclusion on the *Top Listed, Top 25 Hawaii Super Lawyers*® list, in *Chambers USA* and is recognized for his expertise in real estate, corporate and construction law.

**Trevor A. Brown** is recognized in *Best Lawyers*® for both business and litigation matters, bridging client matters that require business and litigation strategy, and selected for inclusion on the *Hawaii Super Lawyers*® list.

**Ivan M. Lui-Kwan** is a *Best Lawyers*®, “*Lawyer of the Year*”, rated AV Preeminent by *Martindale-Hubbell*®, is the Ambassador to the U.S. for the Maori King Tuheitia, and National Board Member of The American Judicature Society. He is Chairman of the Honolulu Authority for Rapid Transportation (HART) Board, overseeing the largest public works project in Hawaii’s history with a \$5.2 billion budget.

**Norman H.Y. Cheng** is in *Chambers USA*, rated AV Preeminent, *Martindale-Hubbell’s*® highest rating possible for his skill and integrity, practices in the area of real estate law, and is a board member of the St. Francis Healthcare Enterprises.