

# 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 US 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, US News & World Report-Best Lawyers® Best Law Firms  
25 Practice Areas**

**Eight Named "Lawyers of the Year" - Best Lawyers in America®**

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

<i>Administrative/Regulatory Law</i>	<i>Appellate Practice</i>	<i>Banking &amp; Finance Litigation</i>
<i>Bet-The-Company Litigation</i>	<i>Business Organizations</i>	<i>Corporate Law</i>
<i>Government Relations Practice</i>	<i>Legal Malpractice Law</i>	<i>Medical Malpractice Law</i>
<i>Mergers and Acquisitions Law</i>	<i>Product Liability Litigation</i>	<i>Securities Litigation</i>
<i>Mortgage Banking Foreclosure Law</i>	<i>Closely Held Companies &amp; Family Businesses Law</i>	

**Thirteen Best Lawyers® – Best Lawyers in America®**

*Named in 32 Practice Areas*

**Five Lawyers Selected to the "Top 25" Lawyers in Hawaii, Super Lawyers® List**

*More "Top 25" lawyers than any other Hawaii Law Firm (2011, 2014)*

**Ten Selected to the Hawaii Super Lawyers®, Super Lawyers® List, Six Selected to Rising Star List  
Business Litigation – Real Estate Law**

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

**Nine Lawyers Ranked by Chambers and Partners USA Directory Leading Lawyers for Business  
Business Litigation – Real Estate Law - Corporate Law**

**Lawyer Ranked by Chambers and Partners High Net Worth Guide  
Private Wealth Law**

**Lawyer Named "Top 250 Women in Litigation"-Benchmark Litigation  
(2011-2014)**

**Five Lawyers Named "Litigation Stars" by Benchmark Litigation  
Highly Recommended Law Firm**

**"Lifetime Achievement Award" Recipient by Pacific Edge Magazine**

**"Women Who Mean Business: Award Recipient by Pacific Business News**

**"Best Places To Work" by Hawaii Business Magazine**

# STARN · O'TOOLE · MARCUS & FISHER

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## ***AV Preeminent® Rating By Martindale-Hubbell®***

*Law Firm Rated AV Preeminent®*

*15 Lawyers Rated AV Preeminent®*

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, Andrew J. Lautenbach,  
Judith Ann Pavey, Stephanie E.W. Thompson, Christine N. Ohira, Doug Chin, Paul H. Sato,  
Lindsay E. Orman

## ***US News & World Report - Best Lawyers in America®, Best Law Firms***

*25 Top Listed Practice Areas*

Administrative/Regulatory Law	Litigation - Banking & Finance
Appellate Practice	Litigation - Bet-The-Company
Arbitration	Litigation - Commercial
Business Organizations	Litigation - Construction
Closely Held Companies & Family Businesses Law	Litigation - Environmental
Commercial Finance	Litigation - Real Estate
Commercial Transactions/UCC	Litigation - Trusts & Estates
Construction Law	Medical Malpractice Law - Plaintiffs
Corporate Law	Mergers & Acquisitions Law
Government Relations Practice	Mortgage Banking Foreclosure Law
Land Use & Zoning Law	Personal Injury Litigation - Plaintiffs
Legal Malpractice Law - Plaintiffs	Product Liability Litigation - Plaintiffs
	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 (2018)	Peter Starn	Business Organizations
Lawyer of the Year (2011, 2019)	Terence J. O'Toole	Bet-The-Company Litigation
Lawyer of the Year (2012, 2015)	Terence J. O'Toole	Banking & Finance Litigation
Lawyer of the Year (2014, 2018)	Terence J. O'Toole	Appellate Practice
Lawyer of the Year (2016)	Kenneth B. Marcus	Business Organizations
Lawyer of the Year (2017)	Kenneth B. Marcus	Mergers and Acquisitions Law
Lawyer of the Year (2015)	Duane R. Fisher	Corporate Law
Lawyer of the Year (2020)	Duane R. Fisher	Business Organizations
Lawyer of the Year (2014)	Sharon V. Lovejoy	Banking & Finance Litigation
Lawyer of the Year (2015, 2019)	Sharon V. Lovejoy	Mortgage Banking Foreclosure Law
Lawyer of the Year (2020)	Sharon V. Lovejoy	Appellate Practice
Lawyer of the Year (2017)	Trevor A. Brown	Mortgage Banking Foreclosure Law
Lawyer of the Year (2019)	Trevor A. Brown	Closely Held Co. & Family Business
Lawyer of the Year (2020)	Trevor A. Brown	Securities Litigation
Lawyer of the Year (2015, 2018)	Ivan M. Lui-Kwan	Government Relations Practice
Lawyer of the Year (2013, 2018)	Judith Ann Pavey	Banking & Finance Litigation
Lawyer of the Year (2014, 2019)	Judith Ann Pavey	Product Liability Litigation
Lawyer of the Year (2017)	Judith Ann Pavey	Legal Malpractice Law-Plaintiff
Lawyer of the Year (2020)	Judith Ann Pavey	Medical Malpractice Law-Plaintiff

*Recognized by Best Lawyers in America®*

Peter Starn	Administrative/Regulatory Law Business Organizations Construction Law Corporate Law Leisure & Hospitality Law Mergers & Acquisitions 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 Mass Tort Litigation/Class Action -Plaintiffs
Kenneth B. Marcus	Business Organizations Commercial Finance Law Leisure & Hospitality Law Mergers & Acquisitions Law Real Estate Law
Duane R. Fisher	Business Organizations Construction Law Corporate Law Real Estate Law
Sharon V. Lovejoy	Appellate Practice Arbitration Commercial Litigation Litigation-Banking & Finance Litigation-Construction Litigation-Environmental Litigation-Land Use & Zoning Litigation-Real Estate Mortgage Banking Foreclosure Law Qui Tam Law
Trevor A. Brown	Business Organizations Closely Held Companies & Family Businesses Commercial Litigation Commercial Transactions/UCC Law Corporate Law Litigation-Real Estate Litigation-Securities Litigation-Trusts and Estates Mortgage Banking Foreclosure Law Real Estate Law

***Recognized by Best Lawyers in America®***

Ivan Lui-Kwan	Administrative/Regulatory Law Government Relations Practice
Norman H.Y. Cheng	Real Estate Law
Judith Ann Pavey	Commercial Litigation Legal Malpractice Law Litigation-Banking & Finance Litigation - Construction Medical Malpractice Law Personal Injury Litigation Product Liability Litigation Professional Malpractice Law
Andrew J. Lautenbach	Commercial Litigation Construction Litigation Real Estate Litigation
Douglas S. Chin	Commercial Litigation Government Relations Practice
Christina N. Ohira	Real Estate Law
Stephanie E.W. Thompson	Litigation-Real Estate

***“Top 25” Lawyers in Hawaii, Super Lawyers® List***

*More “Top 25” attorneys than any other Hawaii Law Firm, (2011, 2014)*

Terence J. O’Toole	Business Litigation	2011
Duane R. Fisher	Real Estate Law	2014
Kenneth B. Marcus	Real Estate Law	2011-2012, 2014
Trevor A. Brown	Business Litigation	2015, 2018, 2019
Judith Ann Pavey	Business Litigation	2016

***Selected to the Hawaii Super Lawyers® List***

Peter Starn	Real Estate Law
Kenneth B. Marcus	Real Estate Law
Duane R. Fisher	Real Estate Law
Ivan M. Lui-Kwan	Real Estate Law
Norman H.Y. Cheng	Real Estate Law
Christina N. Ohira (2017)	Real Estate Law, Rising Star
Lindsay E. Orman	Real Estate Law, Rising Star
Terence J. O’Toole	Business Litigation
Sharon V. Lovejoy	Business Litigation
Trevor A. Brown	Business Litigation
Judith Ann Pavey	Business Litigation
Andrew J. Lautenbach	Business Litigation
Stephanie E.W. Thompson (2014, 2015)	Business Litigation, Rising Star
Kukui Claydon	Business Litigation, Rising Star
Maile S. Miller	Business Litigation, Rising Star
Robert J. Brown	Business Litigation, Rising Star



# STARN · O'TOOLE · MARCUS & FISHER

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

## 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 US mainland and internationally.

Firm transactional and litigation attorneys often join forces in complex commercial matters that require both business law and litigation experience. The firm's intellectual power and mental strength and toughness generate winning strategies, strong negotiations and innovative settlements for clients. Above all, the firm's attorneys have a passion for excellence and responsive client service, earning the firm an international reputation for extraordinary client results.

Starn O'Toole Marcus & Fisher's senior partners bring impressive depth in both years of practice and a skill level earned from working complex and nuanced cases for many years. Five senior partners have practiced over 40 years and remain actively involved in their legal practice.

Starn O'Toole Marcus & Fisher has earned *Martindale-Hubbell's*® highest AV Preeminent® rating, given by our legal peers for achieving the highest standards of professional ethics, excellence and legal ability. Our Hawaii litigation attorneys and transactional team have been selected to the "Top 25", Hawaii *Super Lawyers*® list in the practice areas of business litigation and real estate law. Firm attorneys have been recognized as *Best Lawyers in America*®, "Lawyers of the Year" in Honolulu, in both transactional and litigation practice areas, having more "Lawyers of the Year" than any other law firm in Hawaii, in 2014 and 2015.

Our firm is Top-Listed by *US News & World Report-Best Lawyers in America*® "Best Law Firms" in 25 practice areas. The firm has been selected for inclusion each year since the accolade's inception in 2010.

Administrative/Regulatory Law	Litigation - Banking & Finance
Appellate Practice	Litigation - Bet-The-Company
Arbitration	Litigation - Commercial
Business Organizations	Litigation - Construction
Closely Held Companies & Family Businesses Law	Litigation - Environmental
Commercial Finance	Litigation - Real Estate
Commercial Transactions/UCC	Litigation - Trusts & Estates
Construction Law	Medical Malpractice Law - Plaintiffs
Corporate Law	Mergers & Acquisitions Law
Government Relations Practice	Mortgage Banking Foreclosure Law
Land Use & Zoning Law	Personal Injury Litigation - Plaintiffs
Legal Malpractice Law - Plaintiffs	Product Liability Litigation - Plaintiffs
	Real Estate Law

## A LITIGATION POWERHOUSE

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 matters.

Our respected team of Hawaii litigation attorneys have trial expertise before State and Federal courts in Hawaii and the US mainland, including the US Supreme Court, and has served as litigation general counsel before courts in foreign jurisdictions.

When clients are faced with complex commercial issues concerning matters in Hawaii and beyond, the firm's attorneys are amongst a handful of select "go-to" lawyers.

### **OUR TRIAL APPROACH & ATTORNEYS**

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 road map 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 strategic 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 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*®, *Chambers and Partners USA Directory of Leading Lawyers for Business*, *The Bar Register of Preeminent Lawyers*™, selected to Hawaii *Super Lawyers*® list, *Benchmark Litigation* and *Martindale-Hubbell*®.

All Starn O'Toole Marcus & Fisher's litigation Directors are rated AV Preeminent®, *Martindale-Hubbell's*® highest possible rating, given to them by their peers for achieving very high ethical standards and professional ability.

#### **Directors & Counsel**

**Terence J. O'Toole** has been named a *Best Lawyers in America*®, "Lawyer of the Year" in Honolulu multiple times, selected to the "Top 25," Hawaii *Super Lawyers*® list, and named a "Star" by *Chambers and Partners USA Directory of Leading Lawyers for Business* and *Benchmark Litigation*.

**Sharon V. Lovejoy** has been selected for inclusion by *Benchmark Litigation's* "Top 250 Women in Litigation in the United States"(2011-14) and *Pacific Business News' 2018 "Women Who Mean Business"*. Ms. Lovejoy has been named a *Best Lawyers in America*®, "Lawyer of the Year" in Honolulu multiple times, selected to the Hawaii *Super Lawyers*® list, in *Benchmark Litigation*, in *Chambers and Partners USA Leading Lawyers for Business*, and is a Fellow of the Litigation Counsel of America and the Federal Bar Foundation.

**Trevor A. Brown** has been recognized by *Best Lawyers in America*® in ten litigation and transactional categories, named "Lawyer of the Year" in Honolulu and is in *Chambers and Partners USA Leading Lawyers for Business* and *Chambers and Partners High Net Worth Guide*. Mr. Brown has been selected to the "Top 25" Hawaii *Super Lawyers*® list, named a Litigation Star by *Benchmark Litigation*, and has served as Chair of the Litigation Section of the Hawaii State Bar Association.

**Judith Ann Pavey** has been named a *Best Lawyers in America*®, "Lawyer of the Year" in Honolulu multiple times, selected to the "Top 25" Hawaii *Super Lawyers*® list, in *Chambers and Partners USA Leading Lawyers for Business*, and a Litigation Star by *Benchmark Litigation*. Ms. Pavey is a member of the American Board of Trial Lawyers, American Association of Justice and the American Inns of Court. Ms. Pavey practices and is recognized for her work in both commercial and personal injury litigation matters.

**Andrew J. Lautenbach** has been named to the *Best Lawyers in America*® list, selected to the Hawaii *Super Lawyers*® list, is in *Chambers and Partners USA Leading Lawyers for Business* and named a "Litigation

Star” by *Benchmark Litigation*. Mr. Lautenbach is 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.

**Doug Chin** has been named to the *Best Lawyers in America*® list, is rated “AV Preeminent”, *Martindale-Hubbell's*® highest rating possible, for his skill and integrity. Mr. Chin focuses his practice on commercial litigation, administrative law and government relations. Mr. Chin served as Hawaii Attorney General, appointed by Governor David Ige.

**Stephanie E.W. Thompson** has been named to the *Best Lawyers in America*® list, selected to Hawaii *Super Lawyers*® list, as a “Rising Star” (2014, 2015) and named a “Future Star” by *Benchmark Litigation*. Ms. Thompson is rated AV Preeminent®, *Martindale-Hubbell's*® highest rating possible for skill and integrity, and served as the 2015 Chairperson of the Litigation Section of the Hawaii State Bar Association.

**Paul H. Sato** is Counsel to the firm. Mr. Sato is a seasoned Hawaii litigation attorney who has over 40 years of experience and focuses on commercial litigation, real estate law, corporate law and administrative law. Mr. Sato is rated “AV Preeminent”, *Martindale-Hubbell's*® highest rating possible, for his skill and integrity.

### **HAWAII REAL ESTATE ATTORNEYS, BUSINESS FOCUSED**

Starn O’Toole Marcus & Fisher’s real estate and business law attorneys are known for sophisticated case analysis and innovative business solutions for complex matters. Our attorneys have significant experience in real estate development and transactions, hotels, hotel management agreements, corporate finance, international transactions, secured transactions, mergers and acquisitions, construction law and complex commercial matters, in Hawaii, US and internationally.

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, and have helped many navigate Hawaii’s complex land use and permitting laws.

### **OUR TRANSACTIONAL APPROACH AND ATTORNEYS**

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

In today’s complex competitive environment, firm transactional attorneys shine when approaching the deal table. Strong, experienced and prepared for endless possible moves and counter-moves, firm attorneys drive for exceptional results for every client whether they are a family owned business or an international corporation.

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

All transactional Directors are rated AV Preeminent®, the highest rating possible given by *Martindale-Hubbell*®, a distinction given by our legal peers for achieving the highest standards for professional skill, ethics and integrity.

### **Directors**

Law firm founder, **Peter Starn**, has been named a *Best Lawyers in America*®, “Lawyer of the Year” in Honolulu, selected to the Hawaii *Super Lawyers*® list, in *Chambers and Partners USA Directory of Leading*



*Lawyers for Business*, and is recognized for his expertise in real estate and corporate law, with a particular focus on the hotel and resort industry. Mr. Starn is a former Naval Aviator and a board member of the Pacific Aviation Museum, Pearl Harbor.

**Kenneth B. Marcus** has been named a *Best Lawyers in America*®, “Lawyer of the Year” in Honolulu, selected to the “Top 25” Hawaii *Super Lawyers*® list, in *Chambers and Partners USA Directory of Leading Lawyers for Business* and is a member of the International Society of Hospitality Consultants (ISHC). Mr. Marcus has structured numerous successful hotel management agreements and authored the Hawaii State Bar Association Real Estate Manual chapter.

**Duane R. Fisher** is co-founder of the firm, has been named a *Best Lawyers in America*®, “Lawyer of the Year” in Honolulu, selected to the “Top 25” Hawaii *Super Lawyers*® list, in *Chambers and Partners USA Directory of Leading Lawyers for Business* and is recognized for his expertise in real estate, corporate and construction law.

**Trevor A. Brown** is recognized in *Best Lawyers in America*® for both business and litigation matters, named a *Best Lawyers in America*®, “Lawyer of the Year” in Honolulu, selected to the “Top 25” Hawaii *Super Lawyers*® list, is in *Chambers and Partners USA Leading Lawyers for Business* and *Chambers and Partners High Net Worth Guide* and named a “Litigation Star” by Benchmark Litigation. Mr. Brown is often called upon to work on client matters that require business and litigation strategy.

**Ivan M. Lui-Kwan** has been named a *Best Lawyers in America*®, “Lawyer of the Year” in Honolulu and selected to the Hawaii *Super Lawyers*® list. Mr. Lui-Kwan is rated AV Preeminent® by *Martindale-Hubbell*®, is the Ambassador to the US for the Maori King Tuheitia, and National Board Member of The American Judicature Society.

**Norman H.Y. Cheng** is Managing Director of the firm. Mr. Cheng has been named to the *Best Lawyers in America*® list, is in *Chambers and Partners USA Directory of Leading Lawyers for Business* and selected to Hawaii *Super Lawyers*® list. Mr. Cheng is rated AV Preeminent®, *Martindale-Hubbell's*® highest rating possible for his skill and integrity. He practices in the area of real estate law, and participates on many non-profit boards.

**Christina N. Ohira** has been named to the *Best Lawyers in America*® list and selected to the Hawaii *Super Lawyers*® Rising Star list (2017). Ms. Ohira concentrates her practice in the areas of real estate and commercial transactions, and has received *Martindale-Hubbell's*® highest possible “AV Preeminent®” rating for her legal skill and integrity.

**Lindsay E. Orman** has been selected to the Hawaii *Super Lawyers*® Rising Star list (2018, 2019) and is rated AV Preeminent®, *Martindale-Hubbell's*® highest rating possible for her skill and integrity. Ms. Orman represents clients in both litigation and transactional matters. Ms. Orman served as a law clerk to Chief Judge Emily Hewitt in the United States Court of Federal Claims in Washington, DC. She is admitted to the Hawaii Bar, and earned her Juris Doctor from the George Washington University Law, graduating with “High Honors”.