



Raising the Bar of Continuing Education

## ACCREDITATION

### HI CLE:

4.75 VCLE and  
1.0 MCPE Credits

### CA CLE:

6.0 General Credits

### WA MCLE:

5.75 Credits, Incl. 1.0  
Ethics Credit

### IRWA:

6.0 Recertification Credits

### HI RE Appraiser:

6.0 Credit Hours - pending

## Who Should Attend:

- Attorneys, Judges & Legal Staff
- Government Officials
- Appraisers
- Valuation Experts
- Developers
- Real Estate Professionals
- Right-of-Way Professionals
- Planners
- Consultants
- Anyone Involved in Land Valuation and Condemnation

2<sup>nd</sup> Annual

# Eminent Domain & Condemnation *in Hawaii*

AUGUST 21, 2013 ♦ HILTON WAIKIKI BEACH ♦ HONOLULU, HI

## *Why You Should Attend:*

*Public infrastructure projects and real estate development projects in urban Honolulu raise a host of legal issues tied to eminent domain, burial law, urban planning, and valuation. Honolulu's rail project raises unique challenges from contractor licensing, transit oriented development, property valuation and relocation benefits. An ethics section will provide an update on ethics rules in Hawaii.*

*Join our Program Chair, **Mark M. Murakami** of Damon Key Leong Kupchak Hastert, along with the outstanding faculty he has assembled. These topics will be covered:*

- *Honolulu Rail Litigation Update – EIS and Acquisitions*
- *Contractor Licensing Update*
- *Planning Update – Development near the Right of Way*
- *The Evolving Process of Eminent Domain*
- *Uniform Relocation Act Benefits*
- *Rail Development and Property Valuation*
- *Ethics in Eminent Domain: Obligations of Condemnor's and Condemnee's Counsel*

**5 EASY  
WAYS TO  
REGISTER**

- ① **ONLINE:** [www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)
- ② **FAX:** 866-435-3444
- ③ **EMAIL:** [info@TheSeminarGroup.net](mailto:info@TheSeminarGroup.net)
- ④ **PHONE:** 206-463-4400 / 800-574-4852
- ⑤ **MAIL:** PO Box 523, Vashon, WA 98070

**CONFERENCE  
SCHEDULE** ➤  
**INSIDE**



Wednesday, August 21, 2013

## 9:00 Introduction and Overview

**Mark M. Murakami**, Program Chair  
Damon Key Leong Kupchak Hastert

## 9:10 Honolulu Rail Litigation Update – EIS and Acquisitions

Environmental Litigation, Condemnations

**Paul J. Schwind**, (retired)  
Attorney at Law  
**Robert H. Thomas**  
Damon Key Leong Kupchak Hastert

## 10:00 Contractor Licensing Update

Recent Developments in Construction Contracts, Hawaii Licensure for General and Specialty Contractors; Construction Insurance Coverage Law

**Anna H. Oshiro**  
Damon Key Leong Kupchak Hastert

## 10:30 Break

## 10:45 Planning Update – Development near the Right of Way

Transit Oriented Development; "Smart Growth"

**George I. Atta, FAICP, LEED AP**, Dir.  
Department of Planning and Permitting, State of Hawaii  
**Jesse K. Souki**, Dir.  
Office of Planning, State of Hawaii

## 11:45 Lunch (on your own)

## 12:45 The Evolving Process of Eminent Domain

Condemnation Update; Recent Court Decisions of Interest

**Robert H. Thomas**  
Damon Key Leong Kupchak Hastert

## 1:30 Uniform Relocation Act Benefits

Overview of the Uniform Relocation Act; Procedural and Substantive Differences between Hawaii Revised Statutes Chapter 101 and the Uniform Act; Enforcement of the Rights Provided by the Uniform Act

**Martyn Daniel**, Principal  
Martyn Daniel LLC; Bothell, WA

**Mark M. Murakami**  
Damon Key Leong Kupchak Hastert

## 2:15 Break

Learn From The Best!  
Sign Up Today!

## 2:30 Rail Development and Property Valuation

Appraisal Methodology for Full and Partial Takings; Applicable Standards of Appraisal Practice; Real Estate Market Trends

**Edward W. Becker**, President  
Medusky & Co., Inc.  
**Michael Hamasu**, Dir., Consulting/Research  
Colliers International

## 3:30 Ethics in Eminent Domain: Obligations of Condemnor's and Condemnee's Counsel

Who's the Client? The Good Faith Offer; Obligations of Government Lawyers; Handling Experts Ethically

**James A. Kawachika**  
O'Connor Playdon & Guben LLP

## 4:30 Adjourn

### UPCOMING SEMINAR SCHEDULE:

**19<sup>th</sup> Annual Washington Construction Law**  
September 13 & 14, 2012 ~ Seattle, WA

**GMOs: Agricultural Law & Biotechnology**  
July 26, 2013 ~ Seattle, WA

**3<sup>rd</sup> annual Multi-Family Real Estate Development**  
September 27, 2013 ~ Seattle, WA

**Easements in Washington**  
October 11, 2013 ~ Seattle, WA

**12<sup>th</sup> annual Washington CLE Bootcamp**  
December 3 & 4, 2013 ~ Seattle, WA

**Hawaii Agriculture**  
January 8-9, 2014 ~ Honolulu, HI

**2<sup>nd</sup> annual Financing, Developing and Permitting Renewable Energy Projects in Hawaii**  
January 10, 2014 ~ Honolulu, HI

# The Seminar Group ~ FACULTY

## 2<sup>nd</sup> Annual Eminent Domain and Condemnation in Hawaii



**Mark M. Murakami**, Program Chair, a Director with Damon Key Leong Kupchak Hastert, practices in the firm's Dispute Resolution and Real Estate and Construction practice groups. He focuses on complex commercial disputes, land use negotiation and litigation, environmental and general civil litigation.

**George I. Atta, FAICP, LEED AP**, is Director of the Department of Planning and Permitting, State of Hawaii. He has more than 30 years of professional experience in urban and regional planning with public agencies as a planning consultant, and in processing land use entitlements in Hawaii.

**Edward W. Becker** is the President of Medusky & Co. Inc., a real estate appraisal firm in Honolulu dealing with appraisal auditing analysis and liquidation services.

**Martyn Daniel**, Principal of Martyn Daniel LLC in Bothell, Washington since 1998, provides consulting services on right-of-way and eminent domain projects, specializing in business relocation services for agencies in charge of acquisition and relocation as well as for business owners being displaced by a public agency.

**Michael Hamasu**, Director of Consulting and Research with Colliers International in the firm's Honolulu office, brings over 25 years of marketing and research experience. He has directed research efforts at commercial brokerages with a focus on providing information to assist in strategic decision making for real estate investors and brokerage clientele.

**James A. Kawachika** is a senior partner with O'Connor Playdon & Guben LLP, where his practice includes advising lawyers and law firms on legal ethics and representing

lawyers before the Disciplinary Board of the Hawaii Supreme Court. He also serves as an expert witness in legal ethics and professional responsibility.

**Anna H. Oshiro**, a Director with Damon Key Leong Kupchak Hastert, has represented construction organizations, developers, owners, contractors, subcontractors, suppliers and design professionals in reviewing and drafting construction contracts, as well as in all forums of dispute resolution.

**Paul J. Schwind** previously served as Director of Research and Legal Affairs for the Land Use Research Foundation of Hawaii; as a staff attorney in the Senate Majority Office of the Hawaii State Legislature; and practiced civil litigation law at Badger Arakaki Worsham LLC and community association and condominium law at Ekimoto & Morris LLC.

**Jesse K. Souki**, Director of the State of Hawaii Office of Planning, practices in the areas of environmental law, government & administrative law, land use law, municipal law, real estate law and transportation law. He previously served as Deputy Corporation Counsel, City and County of Honolulu.

**Robert H. Thomas**, a Director with Damon Key Leong Kupchak Hastert, focuses on issues involving appeals, regulatory takings, eminent domain, water rights, land use, shoreline issues, navigational servitudes and voting rights. He is also the Managing Attorney for the Pacific Legal Foundation Hawaii Center.

[www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)

**Register Today!**

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**Registration:** Please mail or email your registration as soon as possible since enrollment is limited. You may also register with a credit card via phone, fax or online. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852, or fax to (866) 435-3444, or email: [registrar@TheSeminarGroup.net](mailto:registrar@TheSeminarGroup.net)

**Tuition:** The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. **Full Tuition:** \$525 per person; Special Government rate: \$425 per person; Real Estate Professionals rate: \$425 per person; Planner rate: \$425 per person; Contractor and Engineer rate: \$425 per person; New Associate/Paralegal rate: \$390 per person; Student rate: \$327 per person. Make checks payable to: THE SEMINAR GROUP.

**Save When Two or More Register:** Save \$50 each off of the **Full Tuition fee only** when two or more register from the same organization at the same time. *Multiple discounts do not apply.*

**Course Accreditation:** This course is approved for 4.75 VCLE and 1.0 MCPE credits by the Hawaii State Bar Association. THE SEMINAR GROUP is a State Bar of California approved MCLE provider; therefore, this course is approved for 6.0 general CLE credits. This course has been approved for 5.75 Washington MCLE credits, including 1.0 ethics credit. This course has been approved by the International Right of Way Association for 6.0 recertification credits. Approval for this course is pending by the Real Estate Appraiser Program, DCCA, PVL Licensing Branch, State of Hawaii, for

6.0 credit hours. For information or accreditation in other states, please call THE SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

**Substitution/Cancellation:** You may substitute another person at any time. We will refund tuition, less a **\$50 cancellation charge**, if we receive your cancellation by **Thursday, August 15, 2013**. No refunds will be given after this date. *Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for payment.*

**Course Materials:** Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$125 which includes shipping and handling.

**Homestudy Package:** Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$550. This package may qualify for up to 4.75 VCLE and 1.0 MCPE Hawaii continuing legal education self-study credits and may qualify for self-study credit in other states.

**Seminar Location:** The seminar will be held at the Hilton Waikiki Beach, 2500 Kuhio Avenue, Honolulu, Hawaii, (808) 922-0811. A courtesy block of sleeping rooms has been set aside at a group rate. To reserve, please call 808-921-5503 by **July 21, 2013**.



PO Box 523 • Vashon, WA 98070  
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13.EMDHI

## Eminent Domain & Condemnation in Hawaii

August 21, 2013 • Hilton Waikiki Beach • Honolulu, HI

**YES!** Please register the following:

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

*I cannot attend. Please send me:*  Course Materials Only

Homestudy:  Video DVD & Materials  Audio CD & Materials

### Conference Fees

<input type="checkbox"/> Single Registration	\$525	Payment of \$ _____
<input type="checkbox"/> 2 or more (one company)	\$475	<input type="checkbox"/> Check <input type="checkbox"/> Purchase Order
<input type="checkbox"/> Government Employee	\$425	Or Charge my:
<input type="checkbox"/> Real Estate Professional	\$425	<input type="checkbox"/> VISA <input type="checkbox"/> MC <input type="checkbox"/> AMEX
<input type="checkbox"/> Planner	\$425	Exp. Date: _____
<input type="checkbox"/> Contractor/Enginner	\$425	
<input type="checkbox"/> New Assoc./Paralegal	\$390	
<input type="checkbox"/> Student	\$327	
<input type="checkbox"/> Course Materials	\$125	
<input type="checkbox"/> Homestudy	\$550	

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August 21, 2013 ~ Honolulu, HI  
*Hilton Waikiki Beach*

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 WA MCLE: 5.75 CREDITS, INCLUDING 1.0 ETHICS CREDIT  
 IRWA: 6.0 RECERTIFICATION CREDITS  
 HI RE APPRAISER: 6.0 CREDIT HOURS ~ PENDING

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