

# PRINCIPAL

## Bert T. Kobayashi, Jr.



Bert T. Kobayashi, Jr. is a Senior Partner of the law firm and one of its founding partners. Mr. Kobayashi's practice concentrates in the areas of commercial and construction litigation, consultation in development and construction, construction document drafting and consultation, administrative law, governmental procurement, contracts and trust litigation.

### Business Activities:

Mr. Kobayashi is a respected member of the business community. He served as a director of First Hawaiian Bank from 1974 through 2021. He also sat as a director of the P. N. P. Paribas U.S. Bank holding company, BancWest that was until 2019 a substantial owner of the First Hawaiian Bank, and served on the BancWest Board from 2010 to 2015 and sat on its audit committee. Mr. Kobayashi sat from 2004 to 2015 on the Hawaii Holdings, Inc. (Hawaiian Air Lines) Board of directors and chaired its Governance and Nominations Committee, and sat on the Audit and Compensation Committees. He also sat on the boards of directors for the following publicly listed corporations: Western Air Lines from 1975 until its sale to Delta Air Lines in 1989 and on the board of Schuler Homes, Inc. from about 1992 until it merged with Western Pacific in 2001, Schuler Homes then merged into D.R. Horton, Inc. resulting in one of the largest homebuilders in the United States; Hawaiian Insurance and Guaranty, a Hawaii casualty insurance company, from 1975 through 1982; Inter-Continental Medical Services from 1986 until its sale in 1996 and on the Advisory Board of GTE Hawaiian Telephone Company from 1997 until its merger with Verizon in 2001.

### Community Activities:

He has been active with community and charitable boards and activities. He sat on the board of directors for Waialae Country Club in Honolulu for four terms and was its president in 1997 and 2016 and has served on several of its committees. He served as a Director and Vice Chairperson of the Friends of Hawaii Charities, the host entity for the PGA event, the Sony Open in Hawaii from 1997 through 2021. He also sat as a Director and member of the executive committee of Ahahui Koa Anuenue, the University of Hawaii's Athletic Foundation; as a director of the Hawaii Public Schools Foundation; member of the Board of Visitors for Lewis and Clark's Northwestern Law School in Portland, Oregon; member of the Executive Committee of the Japan-Hawaii Economic Council, from 1971 through 2001. He has coached in the community leagues and at Punahou School as head coach of its JV Football team.

### Professional Law Activities:

Licensed to practice in the State Courts of Hawaii and the Federal Courts. Member of the Hawaii Bar Association and Member of the American Bar Association, Member of the State of Hawaii's Judicial Selection Commission (which Commission selects the short list from which all judicial appointments are made in the State of Hawaii) from 1985 through 1991. He was its chairperson from 1988 through 1989. Member of the American Trial Lawyers Association and the American Board of Trial Advocates, and a Fellow of the American College of Trial Lawyers. Past Member of the American Law Institute. Past member of the National Board of the American Judicature Society. He currently serves as an arbitrator for the American Arbitration Association and Dispute Resolution and Prevention, Inc. in construction and commercial arbitrations.

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### PRACTICE AREAS

Commercial Litigation  
Construction Litigation  
Development Consultation  
Construction Consultation  
Construction Contract Drafting  
Public Utilities

### EDUCATION

Roosevelt High School

Gettysburg College  
Bachelor of Arts

University of California  
Hastings College of the Law  
Juris Doctor

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### **Honors:**

Mr. Kobayashi has been listed since 1993 in Best Lawyers in America under the categories of Commercial Litigation and Insurance Defense and later in the additional fields of Antitrust and Construction Law and Litigation. He has also been listed each year in the Honolulu Magazine's issues featuring the Best Lawyers in the State of Hawaii in Commercial Law and Litigation and Insurance and subsequently, Antitrust and Construction law from the inception of these ratings recognizing outstanding lawyers in the state. He has been recognized by Corporate Counsel's publication in 2011 as among the Top Lawyers, and by Hawaii Super Lawyers in 2011; he holds a Band 1 ranking from Chambers and Partners under the category: General Commercial Hawaii.

In 1987, he received the Alumni's Distinguished Service Award from the University of California's Hastings College of the Law and in 2016 received the Alumna of the year award from the Hawaii chapter. In 2003, he was awarded the Honorary Alumnus Award by Lewis and Clark's Northwestern School of Law and in 2005 was awarded the University of Hawaii's Charles Ushijima Award for Distinguished Service.

### **Lectures:**

Mr. Kobayashi has taught classes in civil procedure for the Hawaii Bar Review Course, and Wills and Estates for the Honolulu Police Department Recruit School. For the College of Continuing Education at the University of Hawaii, he has taught both as a regular instructor in business law and as a guest instructor in construction law and engineer's and architect's liability. He has also lectured for Professional Education Systems, Inc. in the area of construction law for attorneys, contractors and design professionals in Hawaii. He has taught in the area of procurement law, RFPs and construction contracts for the Corporation Counsel's annual conference.

### **Educational Background:**

Mr. Kobayashi was born in Honolulu, Hawaii and graduated from Roosevelt High School. Mr. Kobayashi attended the University of Hawaii and graduated from Gettysburg College, with a Bachelor of Arts degree in Political Science with minors in psychology and mathematics. Mr. Kobayashi received his Juris Doctor degree from the University of California, Hastings College of the Law.

### **Military Service:**

Mr. Kobayashi was commissioned in 1962 as a Second Lieutenant in the U.S. Army Military Intelligence Branch. He entered active duty in 1965 as a First Lieutenant and was trained at the Combat Infantry Platoon Leaders School at Fort Benning, Georgia (IOBC 21) and the Counter Intelligence School at Fort Holabird, Maryland. Mr. Kobayashi served in Vietnam with the 519th MI Battalion HHQ Co. from June 1966 to June 1967. He was the head of the Psyops Infra-structure Section of the R&A Branch of MACV in Saigon and head of the strategic interrogation team for Operation Hastings in Quin Yon in 1967. He was awarded the Bronze Star for meritorious service in Vietnam. He received his honorable discharge with the rank of Captain in 1967.

### **Family:**

Married Harriet S. Ishimine, four children and nine grandchildren.