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1:10 am - January 30, 2012 — Updated: 1:20 am - January 30, 2012

# Council mulls defense against fired workers

By JASON ARMSTRONG

Tribune-Herald staff writer

The decision to fire four Hawaii County elections workers may soon start costing Big Island taxpayers.

At its meeting Wednesday in Hilo, the County Council will be asked to approve hiring at least one private attorney to defend against two wrongful termination claims seeking more than \$1 million total.

Corporation Counsel Lincoln Ashida, the county's top civil attorney, submitted a last-minute request for a closed-door meeting with lawmakers. He wants to discuss similar damage claims from Pat Nakamoto, the longtime elections program administrator, and Glen Shikuma, who had supervised a rented Hilo elections warehouse.

On Wednesday, Ashida made a "request to hire special counsel" regarding the former workers' monetary demands.

"Time is of the essence," he wrote.

The timing of Ashida's letter triggered a revision and redistribution of the council's agenda.

"Because the executive session hasn't occurred, I'm not able to disclose any of the details," Ashida said when asked Sunday why one of the attorneys working in his office can't defend the county against the claims.

He also declined to reveal how much outside legal representation might cost taxpayers or discuss the merits of the former workers' allegations.

Meeting with the council on Wednesday will be the "first step," Ashida said, adding he would reveal details following the meeting that's set to start at 9 a.m.

Shikuma, a 13-year Elections Division employee, was fired in October for allegedly drinking alcohol at the rented 210 Makaala St. facility and using it to operate a private printing business.

It's against county law for employees to use government time, equipment or facilities for private business. Also, the county has a no-alcohol policy.

Shikuma has denied any wrongdoing.

Nakamoto, who started working for the Elections Division in 1982, served as Shikuma's boss for at least the last several years. She was terminated Jan. 6, along with Elections Division employees Shyla Ayau and Elton Nakagawa.

In separate claims, Nakamoto and Shikuma are each seeking \$500,000 for allegedly being libeled, ridiculed and made to suffer impairment to their "enjoyment of society." Shikuma also is seeking an additional \$50,000 for alleged property damage.

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Mathew, 25

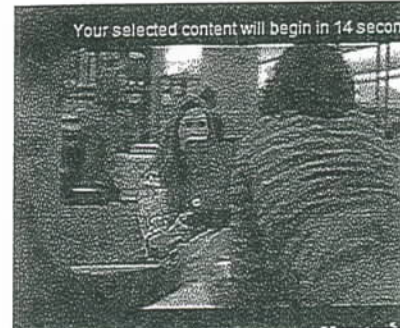
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"... My clients' professional reputation and standing in the community have been ruined," Hilo attorney Ted Hong said on their behalf Jan. 20, the same day he filed their claims.

Hong alleged his clients' supervisors knew about the drinking parties, that no alcohol was consumed in the rented warehouse or two accompanying parking stalls, and that Shikuma performed free printing jobs for the county.

The terminations should not have happened, Hong said Sunday.

"Now we're going to have the taxpayers pay for this litigation and award, and for what purpose?" he said.

He also questioned if Ashida's secrecy is legal under Hawaii's Sunshine law mandating open meetings.

"I think that's certainly a matter of public record," Hong said of revealing why county attorneys cannot defend against the claims.

"Those guys can do it," he said. "They're very good attorneys."

Hong should know. From 1993 to 2000, he served as Hawaii County assistant corporation counsel, the junior position to the one Ashida has held since 2000.

Hong said while he was assistant corporation counsel, the office "routinely" used staff attorneys to indemnify and defend county officials.

Within hours after visiting the Hilo elections warehouse last July, Council Chairman Dominic Yagong ordered that the building's locks be changed and that an independent investigation of its use be undertaken.

Although the final decision to fire the four workers was made by County Clerk Jamae Kawauchi, a senior appointee of the Yagong-led council majority, Yagong was involved in that decision-making process, he said earlier this month.

The Hamakua lawmaker could not be reached Sunday evening to comment on the need to hire a private attorney to fight the former workers' claims.

Kawauchi has offered a "no-comment" response when asked about the claims, which must be filed before the former workers may sue the county in court.

Email Jason Armstrong at [jarmstrong@hawaiitribune-herald.com](mailto:jarmstrong@hawaiitribune-herald.com).

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548991

" Don't look for government to solve the problem , government is the problem !"  
Ronald Reagan ..

01/30/2012 09:24 PM

Like



punatic

Sorry to all.....It should have read : AMBULANCE CHASER !!!

01/30/2012 12:37 PM

Like



punatic

Ted Hong = AMBULANCE CHASER !!!

01/30/2012 12:36 PM

Like

**EXHIBIT "9."**

09-02



Taxedtodeath

Seems Mr. Hong can not make up his mind and appears to be changing his story again? Free printing for the county? That is not what Mr. Hong said last time. Time and expenses was the quote I believe in his last press conference. IMO as a tax payer we need to defend this case. I believe we should also counter sue and ask that a lien be placed on the property of the fired employees bring this action. We now have even more damages with them bringing a frivolous suit against us. We need them to pay any legal fees or expenses we incur over this as well as punitive damages for bringing a frivolous action. They did it, they were caught red handed, and still they think we owe them? It's the culture that has prevailed at the county for to long.

Mr. Hong is a capable labor law attorney handling for the state collective bargaining issues with the union. He does not however appear to be as skilled a civil litigator. His attempts to draw attention to himself and his clients with press conferences is nothing more than posturing. He wants to try the case in the press because he knows he really has no case, Shikuma did it, he is caught. Nakamoto new about it or should have it was her job to know what went on in the elections warehouse. Hong even says everyone knew about the drinking parties as if that lets her off the hook. It was her department her responsibility, facilitating drinking parties are not part of the job description.

The perpetrator and the enabler, in the same lawsuit, really Mr. Hong.

I would think Nakamoto if she had a case, would go at it with a different attorney from Shikuma and separate her civil action. Who wants to be standing in court next to the guy who has admitted to drinking in the county building to investigators and was running a for profit (time and expenses, Mr. Hong's words) business sign making out of a county facility. When we get to the depositions ask Ka'u High School where they got the signs for their gym and ask Shikuma what other elected officials paid Shikuma for the signs he was making in our county facility. It seems to me Nakamoto will only be hurt further standing next to Shikuma in court. Who's idea was that? It looks like they are sacrificing her to try and help Shikuma, talk about damaging her reputation. Mr. Hong seems to be doing a pretty good job of that himself, maybe she should be suing him, that seems like a more realistic cause for damages than being fired for not putting a stop to Shikuma's theft and corruption in the elections office.

Further where did Mr. Hong come up with the nice round figure \$1,000,000 million in damages? Pretty convenient and catchy number but, where did that dollar figure come from? How did they estimate those damages throw a dart at a board? Good we do not use Ashida to defend this anyway if history is any lesson, Ashida will probably suggest we pay \$500,000.00 in damages and call it a win like he did on the council reorganization. He wrote the legal opinion on that one and the Arakaki term limits case, both loser opinions that cost us but somehow he calls them wins. The fired workers do not deserve a penny, Shikuma was getting paid by us while he was running his business out of our warehouse, he should not be given more money, instead he should be prosecuted for theft and pay us back rent and utilities on our facility plus interest. Any other person that used public property and utilities with out permission or compensation would be arrested. Why are the police and prosecutors not going after these in house crimes? They are quick enough to go after a seat belt violation, or cell phone, or lord forbid someone grew a marijuana plant but stealing from the county is fine as long as you throw the right parties. Were prosecutors and police at those parties also? Another question for the depositions and trial.

IMO Ashida, like usual, has an agenda and ulterior motive for not wanting to defend the County and tax payer in this case. Was he at the parties or even involved in some way. Did he know what was going on? Or and are his action political, protecting the status quo?

Lets push to have as open and fair a process as possible, getting it all out before the November election would be in everyone's best interest and let the chips fall where they may. In time for the voters to decide if Ashida is fit for a government appointed position or elected office. This election is shaping up to be about reform on the one side and more of this same old corruption on the other. Good for Mr. Hong exposing the corruption even if that was not his intention. Do it quick so we can clean house in November.

01/30/2012 12:25 PM

Like



548991

All people are reading is these county dept. workers who are fired , filing a suit , to compensate " themselves " through the county . The " firing " of these individuals is due to a " fact(s) of an ethics violation ." No one get fired for simple reasons as we all know , and in government . This is an issue that will be " dragged on ," for sometime. Why does the system of this county government using the court system as a way to bring about a decision that will burden all the hard working taxpayers ? If so , let us all read the facts of how and why these individuals got fired , make it open for everyone , not behind " close doors ." After all these individuals were supposedly , "upholding " the election dept ..

01/30/2012 10:56 AM

Like



punatic

.....free printing for the county?.....yeah, that will be the day!

**EXHIBIT "9."**

09-03

01/30/2012 10:18 AM

Like



punatic

Ted Hong was basically in charge (as corp. counsel) when county taxpayers shelled out almost 7 million dollars on the failed police promotions' charges.....I guess the county can cough up \$\$\$ again.....and again, these discharged parties are guilty as fired...to ask for 1/2 million because their reputations are self-soiled?....ridiculous.....put Ted and these two in their place.....as in OUT!

01/30/2012 10:17 AM 2 Likes

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**EXHIBIT "9."**

09-04



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Sunday, August 5, 2012

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1:10 am - January 21, 2012 — Updated: 1:20 am - January 21, 2012

### Fired workers want \$1M

Two former elections officials say they were defamed

By JASON ARMSTRONG

Tribune-Herald staff writer

Alleging they were wrongly fired, two former Hawaii County senior elections officials on Friday asked for \$500,000 apiece to settle a defamation claim and offset their emotional suffering.

"... My clients' professional reputation and standing in the community have been ruined," Hilo labor attorney Ted Hong said of Pat Nakamoto, the longtime elections program administrator, and Glen Shikuma, who had supervised a Hilo elections warehouse.

In addition to his personal injury claim, Shikuma also is seeking \$50,000 for alleged property damage. He was let go in October.

Nakamoto's termination letter was dated Jan. 6, County Council Chairman Dominic Yagong said last week. Two additional elections workers also were fired that same day.

Yagong said while he was involved in those decisions, they were made by County Clerk Jamae Kawauchi, an appointee of the council's majority headed by Yagong and the county's senior elections official.

"This claim that we're filing this morning is the first step in holding these people responsible," said Hong, who expects to sue the county.

According to the county Charter, employees must file a claim with the clerk's office before becoming eligible to file a lawsuit in circuit court.

Hong alleged Kawauchi made false and defamatory statements about his clients, causing them to suffer physical and emotional distress, injury to their professional standing and harming their "enjoyment of society."

Also, he alleged Kawauchi is keeping Shikuma's equipment, pictures, notepads and other personal property in violation of the U.S. Constitution.

Hong, who is a former state labor negotiator and Hawaii County assistant corporation counsel, further claimed Kawauchi is an inexperienced administrator unfamiliar with Hawaii's civil service laws.

That's why she acted like the "Queen of Hearts in 'Alice in Wonderland,' shouting at my clients and saying, 'Off with their heads,'" Hong said.

Kawauchi on Friday declined to comment on Hong's allegations.

Asked last week about the controversy, Yagong said he's been told not to make additional statements.

Corporation Counsel Lincoln Ashida said he was in Kona much of Friday and had not seen the complaint upon returning to Hilo, but would study it thoroughly later that evening.

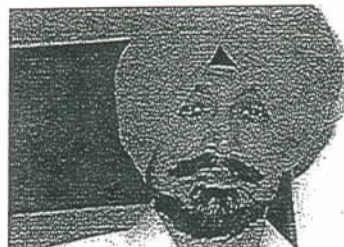
"As with all claims, we'll investigate it," Ashida said. "We'll make a fair assessment and decision."



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At least 7 killed at Wis. Sikh temple sho...



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### EXHIBIT "9."

09-05

All four of the former civil servants are accused of violating the county's no-alcohol policy by drinking at an elections warehouse the county rents at 210 Makaala St. in Hilo. Shikuma, who was the facility supervisor, also is accused of running a sign-printing business there.

County employees are barred from using government time, equipment or facilities for private business, according to county law.

When asked if he's been approached to represent the two other former workers, Shyla Ayau and Elton Nakagawa, Hong said he couldn't comment on that. One of the documents he gave to members of the news media states he looks forward to proving "four" workers were fired based of "false and exaggerated charges."

Hong acknowledged that his two clients are paying for his legal counsel.

The Hawaii Government Employees Association, which represents Nakamoto, and the United Public Workers, of which Shikuma is a member, are "vigorously" pursuing their reinstatement, Hong said.

The alleged violations were uncovered during a site visit Kawauchi conducted with Yagong last July, which was seven months after she started working for the county.

Kawauchi last week said the inspection was part of her due diligence to become familiar with elections operations that occur throughout Hawaii Island.

In July, Shikuma denied any wrongdoing. He said he had no idea why Yagong hired a private investigator to look into the allegations.

Shikuma, a 13-year Elections Division employee, is appealing both his termination, which is at the arbitration level, and Kawauchi's decision to deny him unemployment benefits.

Nakamoto, who has worked for the division in various positions since 1982, also is grieving her termination. She has not commented publicly.

Neither could be reached Friday.

Allegations against them were addressed by Hong, who held a press conference Friday morning in the Hawaii County Building in Hilo. The location outside the clerk's office is just steps from the Elections Division office where both Nakamoto and Shikuma worked.

Various county clerks, council chairs and other county officials "routinely" attended "mahalo" parties held for elections workers at the Hilo warehouse, Hong said. However, none ever told Nakamoto or Shikuma to stop the practice, which involved participants bringing their own alcohol "like any other local party," he said.

"There was no drinking on or in county property, especially the elections warehouse."

The county's lease agreement for the roughly 2,000-square-foot space includes two designated parking stalls in a lot containing about a dozen parking spots. The lot is secured with a heavy-duty gate when the building, which includes other tenants, is closed.

Hong insisted that no alcohol consumption occurred within the county's two parking stalls — he had asked both his clients and the investigator to confirm that claim — and that use of the other private stalls for a party didn't constitute "county property."

Full bottles of beer found within the warehouse were left by party attendees, while those discovered in a refrigerator had been there for at least two years because Shikuma "forgot to throw them out," Hong said.

Also, empty beer bottles inside the warehouse belonged to Shikuma, who was "waiting to take them to the redemption center," Hong said.

One of Hilo's largest redemption centers is located on Makaala Street a few blocks from the elections warehouse.

As for the alleged business activity, Hong said Shikuma closed his business and removed the company's name from the phone book before becoming a county employee.

County clerks, council chairs and other officials knew Shikuma used the warehouse to store printing equipment, which he used to make official county T-shirts, signs and banners for free, Hong said.

"Mr. Shikuma did do some small jobs for friends, who were also former clients, on his machines, on his own time and only charged costs and his time," Hong said, adding that work occurred in June 2006, December 2007 and January 2010.

"This was mishandled from the beginning," Hong said of an investigation that has already cost taxpayers nearly \$2,000, triggered a police investigation and resulted in one-third of the Elections Division staff being fired just as one of Hawaii Island's biggest elections seasons is about to start.

"The bottom line is people need to be held accountable," Hong said.




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## EXHIBIT "9."

09-06

Email Jason Armstrong at jarmstrong@hawaiitribune-herald.com.

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mail23

so shikuma and nakamoto never told they could not have mahalo parties where individuals brought their own alcohol- so why no drink in the warehouse? or why no drink in the 2 county stalls?they knew not suppose to drink. and by the way i like use the mayors office after hours to hold sewing classes, i charge only cost and time - i sew the mayor a shirt every now and then i not running a business only small kin- an i no like squeal but someone should check misuse of county vehicle and gas -like at the recreation office, vehicle used like family car. and civic manager not at work but public high school coaching during work hour oh but maybe making up hours when office closed. but don't send the p&r director or deputy to check this out plenty opala under their rug u know the old saying sweep under rug.

01/21/2012 08:54 PM 2 Likes

Like



osssssssssssssss

Nice handle and pic. You really represent someone the public should listen to.

01/21/2012 05:41 PM in reply to Plant Dope, Harvest Ice 1 Like

Like



Plant Dope, Harvest Ice.

"Shikuma...only charged costs and his time."

We call that a BUSINESS, Mr. Legaleze. Actually, by this admission, he skipped the GET tax and that alone can do him in.

01/21/2012 04:16 PM 1 Like

Like



Taxedtodeath

@osssssssssssssss: I am not mad cause the parties were just for the old boyz club, that's cool, but I no like pay for it, or the brudda's bizness. Now they they like sue too, no shame those guys.

01/21/2012 03:34 PM

Like



osssssssssssssss

@taxedtodeath: sounds like you're mad cause you weren't invited to the parties. Haha. Next time bu, next time.

01/21/2012 03:20 PM

Like



Taxedtodeath

Hong is quoted as having said.

Various county clerks, council chairs and other county officials "routinely" attended "mahalo" parties held for elections workers - "at the Hilo warehouse", - Hong said. However, none ever told Nakamoto or Shikuma to stop the practice, which involved participants bringing their own alcohol "like any other local party," he said.

They were never told to stop. Why not? Even if this was condoned so what, it doesn't make it right or even legal. If others were involved maybe they should face the same questions instead of it being an excuse for these four. This has gone on for so long they do not even understand why it's wrong anymore.

Right after that Hong is quoted as having said.

"There was no drinking on or in county property, especially the elections warehouse."

Talk about speaking out of both sides of your mouth. Which is it Mr. Hong, were the parties that - various county clerks, council chairs and other county officials "routinely" attended held - "at the Hilo warehouse"? Or is it the other side of your mouth "there was no drinking on or in county property, especially the elections warehouse?"

Who were the various county clerks, council chairs and other county officials "routinely" attending parties - "at the Hilo warehouse" that gave the impression this was ok or even

**EXHIBIT "9."**

09-07

legal. This sounds exactly like the corrupt culture we have heard about for so long. Even if it was BOB so what.

How can both be true?

01/21/2012 01:56 PM 3 Likes

Like



Taxedtodeath

How long did it take for Glen Shikuma to get his sign making business equipment and personnel property out of "our" warehouse?

I hear it took three days. Did he really have so much stuff in "our" warehouse that it took three days to remove? Was he collecting checks and keeping ledgers in "our" warehouse? Was the DOE one of his customers and did they do business with Glen in "our" warehouse?

What was our cut? How much rent did he pay? How much electricity did he use? Isn't this theft? Where are the prosecutors? How about some criminal charges here?

These guys are so use to treating our base yards and buildings as their personal property they don't understand they are suppose to work for us for that pay check not run a personal business.

Since they want to be so arrogant as to now try to sue us we should counter sue for back rent, electricity and the money we paid them to do work for us. And lets not forget attorneys fees and court cost. Put a lien on everything they own right now and let a jury of their peers decide who should pay who, then charge them criminally also.

How is it we can investigate the heck out of a pot plant but can't seem to catch these crooks that every one knows about? Priorities that is what the peaceful sky law the voters passed is about. Its about time the police and the prosecutors start spending their resources cleaning up the criminal element that has been rampant in Hawaii county departments for decades.

We all know about it, why can't the police and prosecutors seem to catch anyone? Hmmm. Friends of a feather?

Get rid of the rest of these guys down there Domonic plenty people willing to actually work for their county pay check, clean house and lets get some people in there that do not feel like they are entitled to rip us off.

01/21/2012 12:18 PM 3 Likes

Like



548991

When people had it ( job ) easy for years and never " cleaned up " their act , Sheer arrogance ! And now they petition their case wanting more dollars from the taxpayers ? More arrogance ! Even their union is in it . This issue have been " ongoing " throughout their " job security mentality " years . They want reinstatement, there's plenty of " plastic bags , " all over the place" , ask councilman Hoffman , aloha

01/21/2012 09:43 AM 2 Likes

Like



punatic8

I hate to blow the whistle here, but I just saw a bunch of beer and wine bottles being stored on County property. Please send Yagong to the Kea'eau transfer station to inspect the bins adjacent to the parking lot.

01/21/2012 05:40 AM

Like



lisamalakaua

Well "Hong" was right about one thing...People should be held accountable for their actions - starting with your clients!

01/21/2012 08:24 AM 3 Likes

Like



lisamalakaua

Nice!

01/21/2012 05:21 AM

Like



lisamalakaua

Koodles to Yagong and Kawauchi --The sooner we get rid of this "willful misconduct" the sooner we can start cleaning up our county and next our state!

01/21/2012 07:53 AM 1 Like

Like



hotinhawaii

A few beers sat in the fridge for TWO YEARS? Right!

01/21/2012 07:44 AM 2 Likes

Like

**EXHIBIT "9."**

09-08





County Retiree, But I can still remember.

Since Yagong wants to clean up County government, he should release records of his mileage claims during the first two years he was elected when he didn't have an outside job.

01/21/2012 07:38 AM

Like



QQ

These types of shenanigans are rampant throughout county government. You don't hear peep from our mayor. The county council is the only one stepping up to the plate to bat for the taxpayers. Now we have ambulance chasers looking to make a quick buck from our tax dollars. The whole system is inept, dog eat dog, as we keep forking over more taxes to keep the side shows in play.

01/21/2012 07:19 AM 4 Likes

Like



Opihi1

Let me get this straight, "participants could bring their own alcohol "like any other local party," .....There was no drinking on or in county property, especially the elections warehouse." HELLO!! Then again, this guy is an attorney.....

01/21/2012 06:16 AM 2 Likes

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**EXHIBIT "9."**

09-09

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12:05 am - April 19, 2012 — Updated: 12:05 am - April 19, 2012

Fired workers sought \$10K

By Nancy Cook Lauer

Stephens Media

Three fired election workers who threatened a \$1.5 million lawsuit were willing to accept \$10,000 each, a public apology and their jobs back, according to a settlement offer obtained Wednesday by Stephens Media.

The County Council on Tuesday by a 4-4 vote rejected the March 19 offer by Hilo attorney Ted Hong. Hong plans a news conference today to outline his next step.

That's likely to be a lawsuit, Hong said Wednesday.

"It's unfortunate, but they've left us no choice," he said.

The 3 1/2-page offer, on behalf of fired Election Office Administrator Pat Nakamoto, Warehouse Manager Glen Shikuma and Shyla Ayau, an elections worker, said the employees understood that the cost of litigation would be funded by taxpayers.

"As taxpayers, my clients do not want to burden their fellow county taxpayers, their neighbors or their families," Hong said in the settlement offer.

The offer goes on to ask for reinstatement of the employees with back pay, a public letter of apology approved by the former employees and signed by council Chairman Dominic Yagong and County Clerk Jamae Kawauchi, to be posted in county buildings and submitted to local newspapers, \$10,000 for each employee for "emotional distress," plus \$10,000 total in attorney fees, reimbursement for out-of-pocket insurance and medical expenses and withdrawal of criminal complaints or assurance that no criminal complaint will be filed.

In addition, Nakamoto sought to report to the deputy county clerk instead of Kawauchi and Shikuma wanted his confiscated personal possessions back.

The employees were fired after an investigation by the Clerk's Office reportedly found alcohol and privately owned sign-making equipment in the elections warehouse. The equipment led investigators to believe that Shikuma, who previously owned a sign-making company, was continuing his private business on county time and in county facilities.

It is a violation of county code for employees to run private businesses out of county facilities and to drink or have alcohol at job sites. But Hong, while acknowledging that drinking and sign-making was going on, contends the employees were falsely accused, wrongly fired and then publicly embarrassed when their names were released to the public.

Hong particularly targeted the four council members who voted against his settlement offer as having ulterior motives. They are Yagong, Kohala Councilman Pete Hoffmann, South Kona Councilwoman Brenda Ford and Ka'u Councilwoman Brittany Smart.

"They're letting their political ambitions, their petty politics, drive their decision-making," Hong said. "Every single nickel, the hundreds of thousands of dollars, that's now going to be spent, that's all on them."

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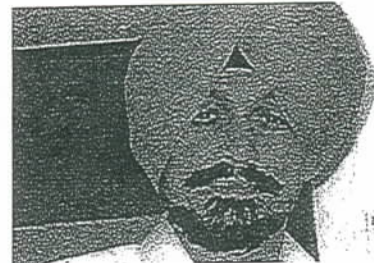
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EXHIBIT "9."

09-10

Yagong had little to say in response.

"The council did not approve the settlement offer, and at this time I have no comment," he said.

Deputy Corporation Counsel Laureen Martin also declined comment because it remained a personnel matter Wednesday. That could change if a lawsuit is filed, she said.

Email Nancy Cook Lauer at [ncook-lauer@westhawaii.com](mailto:ncook-lauer@westhawaii.com).

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Brian\_Ansorge

Dominic Yagong is a hero. Fighting crime in the work place.

Cleaning house.

Standing up for what's right.

Pono.

No wonder the thugs and low-life's hate him.

3 months ago 5 Likes

Like



Brian\_Ansorge

Thugs.

Look it up, genius.

Threats. Force. Coercion.

"Hire us back, or we're gonna cost the tax-payers a bunch of money."

Hey, rocket scientist ["str8faqs"], you know what they call that? Extortion.

And, it's the HEROS' fault? What the hell have you been smoking?

Or, are you an advocate of organized criminal behavior?

Go back the mainland, or crawl back under the rock where you crawled out from.

Hong's the crook. So are his clients [the DISGRACED, former, Elections Office employees he represents].

And, you, sir, are an ignoramus (or "dirty" also) for supporting them.

Get a life.

Or, get a clue.

What's your real name, any way? "Mr. Call-the-good-guys-crooks?"

ha ha

3 months ago in reply to str8faqs 4 Likes

Like



punatic

Theodore Hongo denied county employees labor hearings nor allowed them their rights to DUE PROCESS for those he (and department hacks) decided and attempted to fire when he was with Corp. Counsel. He's a two-faced example of self-contradiction! (How does he retain his law license?)

3 months ago 4 Likes

Like



punatic



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**EXHIBIT "9."**

09-11

They are guilty by their own attorney's admission.....need anything more be said or done? This is simply an attempt at extortion by an also-ran attorney! Fire them, and Fred Blas better get on board with firing them if he wants to stay in his do-nothing seat!

3 months ago 4 Likes Like



NaLoBoY

i got your 40K. 1.5. 40K or 10K. you steal, you violate policy- you get a big 0. don't reward these bullies

3 months ago in reply to str8faqs 3 Likes Like



str8faqs

From what I heard, Ted Hong is an excellent attorney and wouldn't take any case if he thought he couldn't WIN it... Well, maybe we just have to wait and see what the facts are... The media twists information and does not know the whole details. The truth will be coming out shortly that this was a typical political move.

Why would Yoshimoto, Fresh, Blas, and Pilago want to accept the offer? Probably because they feel that these workers were wrongfully terminated? I appreciate that these council members were trying to save our tax payers dollars.

Hong is right about Yagong, Ford, Hoffmann, and Smart "letting their political ambitions, their petty politics, drive their decision-making". SHAME ON YOU!!! And because of these 4 council members we as taxpayers will have to go through a 1.5 million dollar lawsuit plus legal fees instead making things right.

Yagong looked for the perfect opportunity to show the people that he was cleaning house right before the elections all for his political gain. Was this investigation that they conducted fair and neutral? Yagong is a straight up Crook! Why does he have control over the elections office? His staff consists of his family members, he advances them from appointed positions to civil service positions.

As a voter, I'm very concerned about this upcoming elections being fair! The Mayor needs to get involved in this as well... He needs to step up and start questioning what is going on with this situation!

(Edited by author 3 months ago)

3 months ago 3 Likes Like



K12345Mc

The elections fair...hah....the good candidates won't be able to get signs made for their campaigns in the elec warehouse for free...like some others used too.....

3 months ago in reply to str8faqs 2 Likes Like



NaLoBoY

stealing is stealing, violating county policy is violating county policy, no ifs or buts about that and if anyone believes the workers drank in all parking stalls except the 2 county stalls, you're walking around with a paper bag over your head. wake up - if the firing was done by the former clerk ken g and yoshimoto, you would say "good job" but because it is kawaguchi and yagong , you make excuses and whon told who the settlement offer was 40K when the paper says 10???

3 months ago 2 Likes Like



rsjm

Thanks, Joseph Bugado. Curtis told me to express his mahalo to you vs. Naluahine. Glen Shikuma, nicest fella in the world, gets nailed for DUI outside our County Maka'ala St. elections warehouse right after our voting polls are pau. He then gets turned down for unemployment benefits.

3 months ago 2 Likes Like



str8faqs

<http://www.bigislandvideonews...>

These workers had 'thank you' parties that were allowed by previous clerks and administrators and past practice. The video said that it was off work time and NOT County property. The parking lot is owned by a private owner, not the County.... Shikuma made signs, etc for the elections office free of charge! That is what Hong is saying, so you can tell this was wrongful termination and the investigator was hired to set up these innocent people

**EXHIBIT "9."**

09-12

because of politics. I'm glad these individuals are standing they believe is right and not sit back and let politics mess with their lives for their own benefit.

(Edited by author 3 months ago)

3 months ago 2 Likes

Like



str8faqs

Sure like how Yagong, Ford, Hoffmann, and Smart decided to gamble 1.5 million vs. \$40k settlement? All because they don't want to admit that they are sorry and they were wrong.

The Chief Election Officer of the state of Hawaii should be concerned that the County will not be able to put on a fair elections. They're not just putting on a County election, they're responsible for the Federal and State elections.... All I know is if this election isn't fair because we have inexperienced workers in that office and a political candidate (Yagong) for mayor controlling the elections office.... Those who are responsible will expect a sue job....

(Edited by author 3 months ago)

3 months ago in reply to Brian\_Ansorge 2 Likes

Like



Brian\_Ansorge

Again, a clueless comment from a clueless shill. People like you "fear" honest people like Yagong simply because your "refuge of lies" (just like a "house of cards") collapses very easily. So, Miss SaveHookena, what's your real name, girl? Are you just another loudmouthed coward?

Save us your empty, baseless and clueless rants. Get a real job, in the private sector. You're a County worker, aren't you? Angry at the "malfeasance" being exposed? Angry that your "good of boys" got the spanking they deserved? Angry that [shuddering] integrity, honesty and justice occasionally prevails?

So, coward, what's your name?

My name is Brian Joseph Ansorge. I'm not ashamed to call those disgraced, former Elections Office employees what they are: sleazy, unscrupulous, and unethical.

The truth hurts, doesn't it?

I "ratted" my former landlord (a County Dept. of Water Supply worker) for stealing from the tax-payers the same way the Elections people were stealing. The low-life was using COUNTY trucks to deliver rocks, gravel and sand to his property so he could use it for his rock wall he was building.

The "last straw" was when (after working "graveyard" all night at an "honest" job in the private sector—KHOP) I was trying to sleep and this reprobate was using a "Department of Water Supply" jack hammer. Wonderful.

I did the PONO thing, I turned him in for stealing from the tax-payers.

This clown had no clue what he did was wrong. Clueless. He squealed like a stuck pig, whining and crying: "you know how long that stuff stays in your file?"

"Ha, Jimmy, come on down to Ken's and get a job there, if you can, and take some money from the till; see how long you last ... THIEF."

And I shut the door in his face. Of course, the clueless thief wanted to "beef" and "threatened" [sound familiar? Threats? Legal or otherwise? Lawsuit? Hello! Thugs are thugs. Thieves are thieves].

Only those stupid enough to identify with THIEVES and THUGS will identify with and DEFEND thieves and thugs.

"SaveHookena" [closest we'll ever get to knowing who this girl is] should go back to the mainland or wherever else it is s/he came from.

3 months ago in reply to SaveHookena 2 Likes

Like



Brian\_Ansorge

Concerned voter? Less so than you are a "shill" for those cronies (friends of yours?) who think that "public" funds are nothing more than their "personal" piggy bank.

Come back to this discussion when you know what the hell "pono" means, and tell us what your "real" name is.

And where you live.

Coward. "STR8FAQS" is a Coward. Coward.

C-O-W-A-R-D

3 months ago in reply to str8faqs 2 Likes

Like

### EXHIBIT "9."

09-13



punatic

.....others political ambitions? You're joking, right? Hongo is NOT a good attorney, nor is he ethical! His daddy was a Honolulu judge (and questionable is his own abilities....Tanny often made decisions based upon politics). Theodore Hongo was attempting his true hand at politics.....at first being a ridiculous judicial appointee of der 'dingle' lingle....and LOST! Next he attempted to run for local office in recent years....and LOST! He's merely in league with ashida or why otherwise would ashida even proffer this stupid settlement? asida is always claiming he's there to SAVE county taxpayers money....then why (tell me) would he pay some local nincompoop attorney(?) \$450,000 to thwart a settlement of less than half that amount?.....oh, and ashida LOST in the Hawaii Supreme Court on this matter! Why would this county want him for prosecutor? Why do we let Hongo even exist in this county?

3 months ago in reply to str8faqs 2 Likes

Like



jjsilva

I think it's hilarious that you call yourself str8faqs then fill your posts with hearsay, "feelings," opinions and name calling! Thanks for the chuckle.

Also, just because you heard he's an excellent attorney doesn't make him an ethical attorney. There's a difference.

3 months ago in reply to str8faqs 2 Likes

Like



Armando007

I am convinced you are a disgruntled County worker who has been passed up for promotions and has way too much time on her hands investigating fellow workers. Again I say go and join the other terminated employees and HAVE A DRINK!! You obviously know more than the average "taxpayer" and because you cannot get your way at the County, you are using this medium as a way to be heard. Well, nobody wants to hear you, not at work and not via your blogs. Your writings leave tell-tale evidence of who you are. The problem is that you are not kept busy enough at work and therefore are overpaid. You are the very type of employee that requests a vacation day, then when it is not granted you call in sick. Sound familiar? Yep, you are not fooling anyone.

3 months ago in reply to str8faqs 2 Likes

Like



Taxedtodeath

They did it, Mr. Hong already said so publicly. Shikuma ran the business after hours according to Hong. Whats his defense, the old boyz are above the law defense? Won't work this time. They found the alcohol and plenty people/witnesses went to the parties and they got the ledger lets see who is in there, Lincoln?.

Yagong did the right thing. The I'm an old boy defense, I can break the rules and the law - will be interesting to watch, if he can get people to believe that, he could sell firewood in hell.

3 months ago 2 Likes

Like



joseph bugado

these people committed a crime why should WE tax payers give them any money if was me i give them 0 nothing put them out of JOB

3 months ago 2 Likes

Like



K12345Mc

Definition of past practice>>>>>an implied agreement between the employee, employer and union.....to perform work related duties....was the union aware of their activities? are you saying these were work related activities?????is that you glen

3 months ago in reply to str8faqs 1 Like

Like



K12345Mc

DI can't vote and you know why.....can you say ethical violation.....

3 months ago in reply to str8faqs 1 Like

Like

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**EXHIBIT "9."**

09-14

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**EXHIBIT “9.”**

09-15

<http://www.hawaii-tribune-herald.com/sections/news/local-news/fired-workers-sought-10k.h...> 8/5/2012

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12:05 am - April 19, 2012 — Updated: 12:05 am - April 19, 2012

## Fired workers sought \$10K

By Nancy Cook Lauer

Stephens Media

Three fired election workers who threatened a \$1.5 million lawsuit were willing to accept \$10,000 each, a public apology and their jobs back, according to a settlement offer obtained Wednesday by Stephens Media.

The County Council on Tuesday by a 4-4 vote rejected the March 19 offer by Hilo attorney Ted Hong. Hong plans a news conference today to outline his next step.

That's likely to be a lawsuit, Hong said Wednesday.

"It's unfortunate, but they've left us no choice," he said.

The 3 1/2-page offer, on behalf of fired Election Office Administrator Pat Nakamoto, Warehouse Manager Glen Shikuma and Shyla Ayau, an elections worker, said the employees understood that the cost of litigation would be funded by taxpayers.

"As taxpayers, my clients do not want to burden their fellow county taxpayers, their neighbors or their families," Hong said in the settlement offer.

The offer goes on to ask for reinstatement of the employees with back pay, a public letter of apology approved by the former employees and signed by council Chairman Dominic Yagong and County Clerk Jamae Kawauchi, to be posted in county buildings and submitted to local newspapers, \$10,000 for each employee for "emotional distress," plus \$10,000 total in attorney fees, reimbursement for out-of-pocket insurance and medical expenses and withdrawal of criminal complaints or assurance that no criminal complaint will be filed.

In addition, Nakamoto sought to report to the deputy county clerk instead of Kawauchi and Shikuma wanted his confiscated personal possessions back.

The employees were fired after an investigation by the Clerk's Office reportedly found alcohol and privately owned sign-making equipment in the elections warehouse. The equipment led investigators to believe that Shikuma, who previously owned a sign-making company, was continuing his private business on county time and in county facilities.

It is a violation of county code for employees to run private businesses out of county facilities and to drink or have alcohol at job sites. But Hong, while acknowledging that drinking and sign-making was going on, contends the employees were falsely accused, wrongly fired and then publicly embarrassed when their names were released to the public.

Hong particularly targeted the four council members who voted against his settlement offer as having ulterior motives. They are Yagong, Kohala Councilman Pete Hoffmann, South Kona Councilwoman Brenda Ford and Ka'u Councilwoman Brittany Smart.

"They're letting their political ambitions, their petty politics, drive their decision-making," Hong said. "Every single nickel, the hundreds of thousands of dollars, that's now going to be spent, that's all on them."

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## EXHIBIT "9."

09-16



Yagong had little to say in response.

"The council did not approve the settlement offer, and at this time I have no comment," he said.

Deputy Corporation Counsel Lauren Martin also declined comment because it remained a personnel matter Wednesday. That could change if a lawsuit is filed, she said.

Email Nancy Cook Lauer at ncook-lauer@westhawaii.com.

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str8faqs

Yeah okay, maybe yagong didn't want to admit he was wrong and didn't want to make a public apology.... So maybe that's why the others didn't want to accept the offer. If ikeda's vote would count that would... 5-4... Duhhhh!! why did yagong's vote count????????? He was involved with the investigation.... Duhhhh!!!! This is plain stupid!!!! That would be political suicide if he apologized for something he did wrong.... now you get it???????

(Edited by author 3 months ago)

3 months ago in reply to K12345Mc 1 Like

Like



K12345Mc

Hey str8faqs...why would Yoshimoto, Fresh, Blas and pilago want to accept the offer? Because they don't care about wrong or right, they only care about their own agendas and paying back political favors.....and maybe they need signs made.....

3 months ago in reply to str8faqs 1 Like

Like



K12345Mc

wow! I think SaveHookena should hire the fired workers'.....

3 months ago in reply to SaveHookena 1 Like

Like



K12345Mc

I heard that the investigator has an audio of the property owner complaining about the parties and the drinking.....

3 months ago in reply to str8faqs 1 Like

Like



str8faqs

If you read the settlement offer in the other blog site, it said 10k for each person and not to exceed 10k for their attorney fees. So if you add that up, that would be 40k.... Got it!

3 months ago in reply to NaLoBoY 1 Like

Like



str8faqs

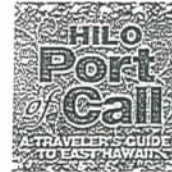
Looks like somebody has inside information.... Only HR and the employer should know personnel information about denied unemployment benefits.... You must work for the crooks. maybe one of his family members like Lorraine Acdal or maybe his rehired culprit internet user on County time, Steve Offenbaker. These clowns are hilarious... why does Offenbaker have his job back, he broke the internet policy and our taxes paid for his salary to surf the internet. So sad.

3 months ago 1 Like

Like



str8faqs



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**EXHIBIT "9."**

09-17

Brian you back up people who use other people for his political gain.... when these workers get there job back and their \$1.5 million, who is going to look like the idiot? Those 4 council members and kawauchi,...

Now their peers will judge them and make the decision.... It is no longer in the hands of selfish politics.

3 months ago 1 Like

Like



SaveHookena

If you've ever watched Ted Hong work, you know he'll win. Yagong made a mess. The guy is so incompetent he can't handle a simple employee termination for cause. Yagong couldn't help himself, he had to do a bunch of political grandstanding, and now the taxpayers will pay for Yagong's political ambitions. Is it too late for a recall of Dominic Yagong?

3 months ago 1 Like

Like



str8faqs

Okay, so in 2009 Dominic Yagong initiated an investigation on county employees using the internet on county time... Only to find out that his very own Legislative Aide STEVE OFFENBAKER was the highest internet user with gambling and looking at naughty sites on County Work Time!!! Offenbaker then resigned...

In 2010 when Yagong bacame Council Chair, he appointed Steve Offenbaker a position in the Clerks Office... Shame on YOU, Yagong!!! Don't you think that is a little ironic? Political moves again!!!

<http://www.bigislandchronicle...>

(Edited by author 3 months ago)

3 months ago 1 Like

Like



Naluahine

Dominic, Jamae and the bloggers create a royal mess by denying American citizens their right to a fair trial under the Sixth Amendment. The Gang of Four keeps fanning the flames of obfuscation in order to cover up the way they appointed their people into the elections division. Meanwhile those who have convicted the fired workers are now beginning to show us they are also racists. How you going act?

3 months ago

Like



Armando007

STR8FAQS -- YOU are fooling nobody. A "concerned voter" is what we all are. YOU are a County employee. Because you are now an appointed staff member (under Dominic Yagong), and still hold your Civil Service position to fall back on once this administration is done (or sooner once they realize you are badmouthing the very people that put you into that position), you probably are hoping that you will find a slot either again in the Legislative branch or, depending upon the election results, the Executive branch. Mind your blogging as you continue to expose yourself. How can you go to work everyday with this twisted agenda of stabbing everyone you just worked with in the back once you get home to your laptop? Talk about costing us taxpayers money--your wages are a gross misuse of funds. Go back to the mainland and live off the farm. We will all be better off because of it.

3 months ago in reply to str8faqs

Like



str8faqs

Haha... Im a concerned voter, and the people need to know what kind of person is running for mayor before the election...just stating the facts! It is a free country! This is why we have blogs, so people can state their opinion. If you can't handle, then don't read it... Bloggers like rsjm and others talk about Ashida, Shikuma, Kenol, Hong, etc..... You Armando007, must work for the crook! Did he promise you a position too! Good luck on getting your man to win now because he, the other three and Jamae Kawauchi just cost us tax payers a lot of money.

(Edited by author 3 months ago)

3 months ago

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**EXHIBIT "9."**

09-18

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**EXHIBIT “9.”**

09-19

<http://www.hawaiitribune-herald.com/sections/news/local-news/fired-workers-sought-10k.h...> 8/5/2012



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12:05 pm - March 22, 2012 — Updated: 12:05 pm - March 22, 2012

### Special counsel request rejected

By ERIN MILLER

Stephens Media

A West Hawaii councilwoman's attempt to stop an executive session failed Wednesday.

South Kona Councilwoman Brenda Ford was the only one of seven council members attending the meeting who voted against discussing a request by Corporation Counsel Lincoln Ashida behind closed doors. North Kona Councilman Angel Pilago and Kohala Councilman Pete Hoffmann were absent Wednesday.

Council members rejected the special counsel request.

"There was no way I was going to vote for special counsel and wasting \$100,000 of taxpayer money when we did nothing wrong," Council Chairman Dominic Yagong said after the meeting.

Ford said no precedent existed for the council to hire special counsel for the county prior to litigation being initiated.

"Mr. Ashida continues to belabor an issue that is nonexistent," Ford said. "The county does not have any liability."

Ashida's request was to discuss hiring special counsel for the county regarding claims filed against the county by attorney Ted Hong, on behalf of four former Elections Office employees. Ashida said he and his entire staff had a conflict of interest in the case and could not represent the county. The exact nature of the conflict was unclear Wednesday.

Further, Ford said, discussing the request in executive session would be a violation of Hawaii's Sunshine Law.

Ashida disagreed. He said he took the proposed header, the description of the executive session request, to the state's Office of Information Practices, which approved of the language. While no court cases have been filed, Ashida said just bringing claims to the county can be considered litigation.

"I don't think (litigation) is only after a (court) complaint is filed," Ashida said.

Ford disagreed, noting anyone can file a claim with the county. The Hawaii County Charter does not provide a definition for when exactly the county may hire special counsel. A county attorney in 1968 told the county's charter commission special counsel was used for court cases. A special counsel attorney in 1978 said special counsel can be retained for litigation.

"It doesn't become a liability to this county until a case is filed in court," Ford said.

Ford, Yagong and Ka'u Councilwoman Brittany Smart voted against Ashida's request to hire special counsel. Puna Councilman Fred Blas and Hilo council members J Yoshimoto, Dennis Onishi and Donald Ikeda voted in favor of the recommendation. Any request to hire special counsel requires six affirmative votes to pass.

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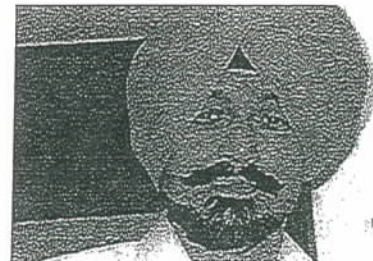
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## EXHIBIT "9."

09-20

A bill that would make drinking alcohol in public places where alcohol is not permitted a petty misdemeanor passed its first reading. That allows judges to impose probation conditions, Deputy Prosecuting Attorney Mitch Roth told council members. Those conditions may include banning the defendant from the location where the illegal drinking happened for the same time period the person is on probation, as well as ordering substance abuse counseling.

The council also approved a resolution asking Mayor Billy Kenoi to issue a request for proposals from nonprofit organizations to grow food on county land at Paauilo, then donate that food to The Food Basket. The measure also calls for the county to begin the process to permit donating wild game for distribution.

Email Erin Miller at [emiller@westhawaii.com](mailto:emiller@westhawaii.com).

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rsjm

I agree with you, Taxed to Death. Kinugasa-san, Kenoi, and Ashida always stick up for the three incompetent Japanese council members from Hilo (the guys who pocket the \$600 a month in gas stipend of taxpayers' money while never using it to visit their constituents and never ever going to Kona for council hearings). Remember Ikeda degrading the Puna Caucasians at a council hearing??!! And Kenoi who has sold out to the unions, off-island developers, and his own special interests (just as the innocent/correct Big Island Auto Club has just learned??!!)??!!

Kinugasa is a union official, or county worker, or a shill for the old boys of Hilo (Japanese Roland Higashi/Jimmy Arakaki/etc.). Nice try, but MOST residents of the island see through it and will show you what's up in the election.

Let's look at Ashida's involvement in this Elections Division scandal:

- 1) Hong talks about filing a case while holding a joke of a press conference to bring attention to himself.
- 2) Hong donates \$200 to Ashida's prosecutor's campaign.
- 3) investigators find Ashida name in Shikuma's Elections Division Warehouse ledger.
- 4) then all of a sudden after the donation to Ashida's campaign and Ashida name being found in Shikuma's Elections Warehouse ledger -- Ashida CLAIMS that Yagong and Kawauchi acted outside the scope of their authority and tries to state his corp counsel office (again paid for by us taxpayers) cannot represent Yagong, Kawauchi, and us County taxpayers.
- 5) Ashida won't state what the conflict of interest is, but this non sequitur/nonsense is what Ashida's lawyer ethics board is advising him (so this hack Ashida says).
- 6) Ashida threatens a council member that he will sue this council member personally ( it's recorded on tape, Lincoln, you of your own volition with no provocation/prompting -- articulating in your cowardly state of fear and self-destructive self-generated crisis -- the actual verbal threat) -- if Ashida is not on the Council agenda to be heard in a backroom Executive Session.
- 7) the fired County workers get turned down for unemployment benefits by our County.
- 8) Ashida's friend Ted Hong represents fired Elections Division employees on "paid" retainer, not on contingency (contingency is "easy big money"), because Hong fears going belly up on these fired employees' preposterous/ridiculous "grievances!!" (G!! What happened to these monstrous multimillion dollar lawsuits which Hong threatened to file??!!)
- 9) And now Ted Hong probably bails out to settle for a nominal/token amount of money, to escape losing money on these trumped-up brainless noisebox cases.
- 10) And now Ashida can represent the county!! Yeah, to bail out Hong!! To continue to cheat and fleece us residents to bail out Hong!! Hong is not Ashida's boss!! We taxpayers are Ashida's boss!! Ashida can represent the county but Ashida really shifts blame to whistleblowers Yagong and County Clerk Kawauchi for Ashida's deliberate and conniving cover-up of Ashida's link via Ashida name with Shikuma. Why blame whistleblowers Yagong and Kawauchi for uncovering name Ashida??!! These whistleblowers earn their keep, unlike Fake Master Ashida.

Solution: Do not fear Hong for shouting fire in a crowded theater which triggers cowardly spineless yet diabolically malevolent Ashida to run like the wind with Hong's \$200 political donation to spare, and do not fear Hong for bringing to the glare of the spotlight via Hong's rubbemecking -- these absurd twisted "grievances" of correctly terminated employees which also include Hong falsely defaming Yagong/Kawauchi.

Solution: Ashida does not deserve to practice law or work for the public again. He has abused and destroyed these values because of his egomaniacal self-glorifying agenda which only fuels even more his crisis of fear of truth and fact-finding. Ashida's shameful and cowardly shifting of blame from perpetrator Ashida to whistleblowers Yagong and



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**EXHIBIT "9."**

09-21

Kawauchi unmistakably evidences Ashida's sick perverted overpride/narcissism, greed-lust for fame/power, jealousy-envy vs. whistleblower Yagong (Yagong upends Ashida/arrogant illuminati-overlords in Yagong's service to us constituents/humanity). Ashida's explosive abusive temper tantrums triggered by Ashida's spoiled brat "entitled" "special gift from above" nature and by Ashida's perverted and obsessive control mechanisms to enslave everyone under Ashida's sleeved cuffs. <http://hawaiinewsdaily.com/201...>

BTW, Saint Ashida who is our holy mole-lee role model and positive life exemplar, tell your dad "hi" to Gloria, okay? I'm certain you wonder what are true trust and faithfulness to kazoku/family, community, and nation. Which are why you skewed way off the right track vs. whistleblowers Yagong/Kawauchi. "Good luck," something you never bestowed upon your imagined self-concocted nemeses.

03/25/2012 04:00 PM 2 Likes

Like



Taxedtodeath

This is going on in other departments also, I would like to see Dominic elected and let him get rid off the rest of the dead weight. He has my vote, good job.

There is no case against the county, they did it, they got caught, and they got fired. Rightly so, to bad he doesn't have the power to clean up stuff like Kaimana pumping and bulldozer gate yet. Go get them Dominic, you clean house, we support you, and kick Lincoln to the curb while your at it. The fact that he is still employed reflects badly on the current administration.

03/25/2012 12:46 AM 2 Likes

Like



kinugasa\_san

Let's see: The chief officer for the elections division, who is a candidate for mayor, dismisses a large proportion of the elections division, and then installs his own people in their place? And that does not smell like fish? At least the East Hawaii councilmen have established that they tried to hire special counsel in this matter. This is going to be important when the personal liability lawsuits are filed against Brenda, Brittany and Angel because of Dominic's failure to heed the advice of county attorneys and place the county into legal peril.

03/24/2012 01:33 PM

Like



maili23

The only people responsible for Shikuma and co. being fired is Shikuma and co. Yagong and Kawaguchi were the only ones willing to investigate and take the necessary steps to make right.

03/24/2012 12:03 PM 3 Likes

Like



punatic

I don't require any advice from an adolescent, non-experienced boy; that's for sure. I speak from experience, and you knowlutely nothing about me or my past.....so MYOB, twerp!

03/24/2012 10:33 AM in reply to Ken Johns 2 Likes

Like



mdkj

First things first, As a taxpayer I feel they needed to be removed because they violated the trust of the public. Second as a business owner, a county employee took advantage of of the public by running a business on county property with county funds (electricity) thus providing an unfair advantage to the rest of the businesses on the BI, no overhead. Third, those that worked there, either under or over these people, who never bothered to say anything to anyone also CHEATED us taxpayers. We dont have enough space and time to go into the booze issues.. Enough is enough.

As for this person who is being temporarily assigned to "organize" that department, they do not need direct elections experience, Fresh eyes are needed in this situation and Management Experience is what's most important. A managers responsibility is to Manage assets, both human and physical, to clean things up, bring morale up and move the department forward. Product knowledge is important but that can and will be learned over time. Product knowledge and/or experience can always be provided by others willing and able to step in and help. The key here is those left standing, the rank and file who are in unknown territory and need immediate leadership to settle the muddled waters they were left in, they need stability so they can continue with their lives.

Pointing fingers and formulating conspiracy theories only HELPS to deflate morale, creates a false image to the public and our county employees. It does nothing but work against the department and the taxpaying public, which is why you, "str8faqs" are not a team player nor good enough to be a manager, but are a bitter player in the "good old boys club". And as my friend Donald Trump would say YOU'RE FIRED....

03/24/2012 09:35 AM 3 Likes

Like

## EXHIBIT "9."

09-22



RollinBig

Its simple what happened, they opened a can of worms they did not want open!! I would be willing to say that there is plenty more to this meaning it connects to people higher up so it will go nowhere. Think about it a few years ago there was a bunch of guy who are still working in LE that the feds were working on and they hit some higher ups simple solution shut it down now us the public are stuck with these guys. Its all about who you know and for how long and what you have done together.

03/24/2012 05:31 AM 3 Likes

Like



str8faqs

You are wrong, I don't work for the County, nor am I jealous of this scandal im just stating the str8faqs on how the system is messed up and very political.... the people need to know what is going on. like I said I feel bad for this lady who is being set up to fail. Bumbai they learn!!!! And whoever you are, thank you for confirming that this person is inexperienced and knows nothing about elections. The people needs to know that from another source besides me.... What kind of administration does that and hires someone that doesn't meet the qualifications? There goes the administration making bad decisions, just seems like something is wrong with this picture....

03/23/2012 09:05 PM in reply to Armando007

Like



Armando007

Sounds like whoever wrote this is a County employee. Jealous, perhaps? Someone needs to acknowledge that stepping up to the plate in such a volatile time is very admirable. If she has no experience, it seems as though the administration has singled her out as being responsible enough to do the job. Whoever you are, str8faqs, perhaps you should join the others that were terminated and have a drink!!!!

03/23/2012 03:55 PM in reply to str8faqs 3 Likes

Like



Taxedtodeath

Shikuma got caught, Ashida is acting like he was in on it, and Yagong did the right thing. You can not run a private business out of a county facility, and have drunken parties there or you will be fired. That is the message Yagong is sending and Ashida doesn't like it. Is he supporting county employees using our buildings, utilities and running there businesses on our dime. Sure looks like. Go get them Domic, thank you.

This kind of stuff has gone on here for far to long it's part of the old boyz culture and it's about time someone stepped up and said enough. That is leadership, something that we have not had in a long time. Lincoln is as bad as they get, he does not look out for the public he is the perfect example of what is wrong in the county administration. Playing politics to protect his friends even when they are caught red handed running a business out of our warehouse, stealing our utilities to do it, hosting drinking party's, and even keeping alcohol in our county facilities. What is the conflict Ashida has? Why does he have to keep it a secret? What was in the ledger that was found? Is that the conflict of interest? Who was doing business with Shikuma in our warehouse?

Lets see Ted Hong's case, I doubt he has one.

03/23/2012 11:12 AM 3 Likes

Like



honuman78

Yagong, Ashida, Jamae, Kenoi and all others are all to blame. I think Shikuma was bad, but the rest got caught in a political cross fire. Instead of our elected officials against each other, they should all work together to expose the truth. At the end of the day, most will fall on Yagong and crew, but sadly the taxpayers ultimately will be the deep pocket again.

03/23/2012 09:22 AM 1 Like

Like



str8faqs

I say that the County Council should over-throw the Council Chair and have someone else be the Council Chair, and get rid of that inexperienced County Clerk.

The Council Chair (Domic) appoints and controls the County Clerk (Jamae)... The County Clerk (Jamae) Controls the Elections Division... So my question is WHO is actually controlling the Elections Division????? A POLITICAL CANDIDATE (Domic)... That is just messed up!

The State Office of Elections, County Elections Offices, as well as Hawaii Elected Officials and Candidates should be very concerned on this matter and question Yagong and Kawauchi on their actions. They should be investigated for their Political Scandal.

**EXHIBIT "9."**

09-23

03/23/2012 09:11 AM 2 Likes

Like



Ken Johns

What is real is that you are a racist. You attempted to correct another racist with a racist comment. It has no bearing on where anyone was born, or where they came from.

It has everything to do with you plain and simple being a racist!

Thats being real!

Now, if you want some further real advice, you could leave!

(Edited by author 4 months ago)

03/23/2012 07:58 AM in reply to punatic

Like



punatic

racist?...how about realist?...(that is if you've been there too).

03/23/2012 07:38 AM in reply to Ken Johns 3 Likes

Like



punatic

Yeah, nice how you try to talk as if you're local ....to you I say MYOB.....if you haven't walked in someone else's shoes, then save your ignorant comments, son!

03/23/2012 07:37 AM in reply to str8faqs 3 Likes

Like



Ken Johns

I just love the sheer ignorance you bring to the table - criticizing a racist comment by being a racist yourself.

What this story now shows us is yet once again, a grossly incompetent Council, led by a grossly incompetent Chairman and represented by a grossly incompetent Lawyer.

Yet, once again!

03/23/2012 03:14 AM in reply to str8faqs 2 Likes

Like



str8faqs

And you PUNATIC... what's up with the oriental comments? If you're not happy over here, then GO BACK to where you CAME FROM....

At least they all grown here and not flown here... They locals, know what I mean! Mahaio!

People shouldn't blame Ashida or Hong for they DID NOT create this mess in the first place. The only ones to blame are those two people (Kawauchi and Yagong) who has a serious case of Power Trip...

(Edited by author 4 months ago)

03/22/2012 05:45 PM 3 Likes

Like



str8faqs

So, who is responsible for Elections now? Is it an inexperienced person who was previously temporarily assigned to two other positions in the Clerks Office starting from her permanent position in Council Services to an Accounting position, HR position, and now Elections Administrator position? Mind you, this all took place with in 4 months. I think that its very odd to put someone in there who has no elections experience at all. I actually feel really bad for her because it seems like Kawauchi and Yagong is looking for someone to take the blame when the \$hit hits the fan... Kawauchi and Yagong should take the blame and responsibility for all of this mess. As you can see this is a political action made by them taking care of certain people in their department. Why would they put someone in that position who is inexperienced and they are taking care of her for a reason? Is it to make sure that Yagong wins the Mayoral race? Who knows what their agenda is, but it should be questioned. There they go again with making ignorant decisions. What gets me is they're making all of these changes and created a mess and they're not even going to be around after this elections is over. Because Yagong is going to run for Mayor and LOSE and NOBODY will keep Kawauchi. So sad, every 2 years there is a turnover in the County Clerk position.

I say that the County Council should over-throw the Council Chair and have someone else be the Council Chair, and get rid of that inexperienced County Clerk.

**EXHIBIT "9."**

09-24



The Council Chair (Dominic) appoints and controls the County Clerk (Jamae)... The County Clerk (Jamae) Controls the Elections Division... So my question is WHO is actually controlling the Elections Division????? A POLITICAL CANDIDATE (Dominic)... That is just messed up!

The State Office of Elections, County Elections Offices, as well as Hawaii Elected Officials and Candidates should be very concerned on this matter and question Yagong and Kawauchi on their actions. They should be investigated for their Political Scandal.

03/22/2012 05:26 PM 2 Likes

Like



punatic

Good Move in voting this down! To do otherwise only seeks to 'legitimize' Ted Hong's bullcrap! They were FIRED for just cause. To recklessly spend taxpayer dollars to ENSURE these dopes will get money or their jobs back is BS!!! Little Lincoln is in the Campaigning Mode, and HE has to look good for the local oriental community by not having these creeps fired! "Gotta' get that ethnic vote, or they may actually elect a real good prosecutor!!!" If these employees were white, you can bet your boots they'd be out oin a flash....justified or not. That's been the case in this racially-hell bent community for decades! Many non-orientals have been booted out for FAR LESS than these corrupt oafs; why should we pay to keep them in just to satisfy ashida's election quest? They're Fired; They're Out!!! Let them find a job where they can guzzle alcohol on company/government property and run an outside business from the confines!!! ....and speaking of Hong-o, he was at the forefront of booting out lots of non-orientals! Why won't he just leave, and go back to Honolulu?..You have few friends here, boy!

03/22/2012 01:46 PM 4 Likes

Like



rsjm

Our County Charter requires the County Council's two-thirds vote for special counsel when special matters present a real necessity for special counsel, such as actual litigation. We have no litigation. But we do have a grievance procedure in which chief Corp. Counsel Ashida refuses to participate. Thus our administrative procurement protocol, not litigation representation. Let's say hypothetically that Ashida is a material witness in administrative grievance proceedings and/or litigation. Why on earth would the Council want to get nailed/crucified with Ashida's whitewashed/impotent choice of our Council's & our County's attorney per Ashida's ruthless/despotic control over screening for special counsel? Our County's missions are Almighty People/County Residents, not to acquit/decontaminate Almighty Ashida. "Let's look at Corp. Counsel Ashida's repeated incidents without exception of how he abandoned, failed, & sabotaged the current majority of the County Council, including but not limited to declare without basis last year's Council budget process as illegal even though Ashida never voiced such objection amid the budget's extended multiple amendment timeline/chronology. How about Ashida's Council reorganization abomination which costed the taxpayers nearly \$100K in unnecessary litigation? And Ashida's yakamashii (Japanese for noisebox-brainless talking head) trash talk vs. HMP before Ashida shelled out some \$60K in taxpayer money in a losing settlement, Ashida always avoiding as with Kamaaina Pumping the usual suspects who are supposed to be in confinement today? You can go farther back — Ashida's Maile David debacle and Jimmy Arakaki's extended term disaster. Ashida's toxic template is Almighty Ashida, not Power to the People/Salt of the Earth. Nonetheless, "law enforcement" Ashida, like Rick (not "love me tonight" Damerville) prosecutor wanna-be on a local BIC blog, irrevocably is so full of himself that Ashida erroneously feels himself invincible and above reproach. Phooey. Exhibit A: Fired elections division employee Glen Shikuma. Ashida's lawyer ethics board cover is shibai. This board has no clue that Ashida is the actual perp. "Why not ask Ashida whether Ashida had contact with Shikuma prior to Shikuma being investigated? Why not ask Ashida if his name Ashida was found in Shikuma's log as one of Shikuma's sign or emblem-receiving or other customers? Has Ashida refunded the \$200 campaign donation from Ted Hong received before Ashida falsely blamed Council Chair Yagong and County Clerk Kawauchi for acting outside the scope of their authority? Ashida's friend Hong shouts fire in a crowded theater (Hong's baseless cases involving Shikuma/etc.) and Ashida runs like the wind with \$200 to spare. Could Shikuma's log be the actual "conflict of interest" which Ashida firmly avoids talking about? Or is it that Ashida just flat-out does not want to take a strong stand protecting the taxpayers against Shikuma illegally running Shikuma's personal operation out of our County industrial warehouse on Makaala St. and drinking and having alcohol at our County job site on Makaala St. — while Ashida runs for Chief Prosecutor because "conceal and deceive" Ashida is counting on all our government union endorsements? "

Maybe white as snow Ashida needs to get a job with the unions and resign his position with Corporation Counsel if he cannot earn the 100k a year he gets paid representing his clients, the County and Council?! \*Shikuma's ridiculous preposterous grievance is among the kinds of cases the County must defend against and Ashida is only interested in advancing his own agenda in Ashida's race for prosecutor. Yagong is extremely competent. Ashida is dishonest and diabolical in pinning blame against Yagong. Yagong did not overreact by approving the firing of Shikuma and confederates. The opposite is the case — Yagong would be derelict in Yagong's duty as County chief clerk overseer by not stopping Shikuma's illegal activities. Not only is Ashida guilty of maladministration by avoiding Shikuma's illegal behavior, Ashida is purposely and deliberately dishonest in hiding and concealing and covering up Ashida's conflict of interest and in schemingly and deceptively deflecting blame to whistleblowers Council Chair Yagong and County Clerk Kawauchi. Yagong did not grandstand by calling in the media. Legal transparency requires complete disclosure of Yagong's authority and lead for Yagong's decision to approve removing Shikuma's harm inflicted upon us taxpayers.

## EXHIBIT "9."

09-25

Ashida continues to inflict harm upon us because of Ashida's toxic corrosion of trust which we place in Ashida. Our County Council needed its own procurement protocol legal advisors after purposely dishonest Ashida said Ashida was withdrawing from the Shikuma grievance process, so that our Council members had no lawyer to read over the documents and give a legal opinion. Yagong is the fact-finder, not the loud oaf that deliberately dishonest Ashida paints Yagong to be. As Buddah Belly succinctly intones: I don't think Mr. Yagong is incompetent, and he has not harmed us residents by cleaning house. Mr. Ashida is failing to do his job, which is protecting us from employees using company time and property to run their own business and party. I think Mr. Ashida perhaps over-reacted because he may have a conflict of interest with Mr. Shikuma, and tries to shift blame to the whistleblowers. For Mr. Ashida to ignore the illegal behavior at the Makaala St. warehouse is suspicious, not something we pay our top corporation counsel to do, much less someone who wants to be our next chief prosecutor. What is Mr. Ashida trying to hide? I think the money for Mr. Yagong's and Ms. Kawauchi's attorneys which Mr. Ashida is trying to force on taxpayers should come from Mr. Ashida's wages.

03/22/2012 01:38 PM 5 Likes

Like

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**EXHIBIT "9."**

09-26



Hilo, HI 72°F

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12:05 am - July 07, 2012 — Updated: 12:05 am - July 07, 2012

# Fired county elections official, seeking reinstatement, participating in campaign events

By NANCY COOK LAUER

Stephens Media

Fired county Elections Administrator Pat Nakamoto has attended campaign events for her former boss Ken Goodenow, who's running for County Council, an action one opponent says calls into question her ability to remain neutral should she get her job back.

Nakamoto was fired in January, along with elections warehouse manager Glen Shikuma and two other elections workers, after a private investigator hired by County Clerk Jamae Kawauchi reportedly found evidence of a private sign-making company and alcohol consumption at the county job site. The employees are currently going through the union grievance process.

Goodenow, a former county clerk, is challenging Hilo Councilman J Yoshimoto for the Hilo District 2 council seat. Yoshimoto, a three-term District 3 council member, was pushed into District 2 when the Redistricting Commission redrew the East Hawaii boundaries to create a second Puna council district. Two other candidates, Rachel Thompson and Steve Wilhelm, are also in the race.

Goodenow's campaign website had displayed several photos of Nakamoto and her boyfriend, former state Chief Elections Officer Dwayne Yoshina, attending an April 14 volunteer meeting for Goodenow's campaign. Both are wearing name badges and are sitting at a table covered with campaign materials.

Yoshimoto was one of four council members on the losing end of a settlement agreement that would have given Nakamoto her job back. When contacted Friday, he said he'd always supported her in the past because he thought she did a good job. But now he has doubts, he said.

"When I first saw the photos (on Goodenow's website), I was surprised because I thought she was trying to get her job back," Yoshimoto said. "I think there's a clear conflict of interest and it gives rise to the appearance of impropriety if she gets her job back. The elections administrator needs to be neutral and just run the election."

The elections administrator is in a unique position in county government because not only does that individual have control over the voting equipment and absentee ballots, he or she is also privy to confidential voter and candidate information.

"You can't be the election administrator running the election and be campaigning for someone," Yoshimoto said. "That just doesn't look good."

Attempts to reach Nakamoto by asking Goodenow and her attorney, Ted Hong, to contact her were unsuccessful Friday. Neither Nakamoto nor Yoshina have published telephone numbers.

But Goodenow defended Nakamoto, saying she's his neighbor, and she came along to the volunteer events on a couple of occasions with Yoshina, who's consulting on Goodenow's campaign.

When he was county clerk, were there rules about Elections Division employees remaining neutral? Goodenow characterized it as an informal understanding, rather than a rule.



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**VOTE 2012**

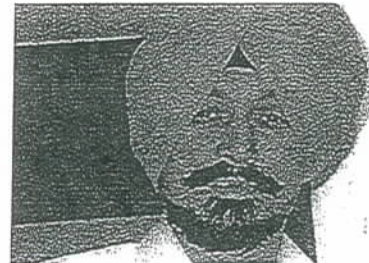
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## EXHIBIT "9."

09-27

"There was always an understanding that elections officers not campaign, but everyone has the freedom to support who they want on their own time," he said.

When asked why the Nakamoto photos have recently been removed from the website, Goodenow said he's been doing some major revamping of the site, removing some photos and adding more material.

"I'm in the middle of updating my entire website," Goodenow said. "I'm ramping up my website."

Goodenow, as Nakamoto's former boss, has also been writing letters in support of Nakamoto getting her job back. He said he wrote a statement and gave it to the Hawaii Government Employees Association, the union handling Nakamoto's grievance. He also was one of four former county clerks who signed a more general letter of support, he said.

Following the County Council's rejection, Nakamoto's grievance has moved on to the next step — an appeal to Mayor Billy Kenoi. The county Human Resources Department is now considering her case and is expected to make a recommendation some time in the future, Deputy HR Director Sharon Toriano said last month.

Kenoi said Friday that he's leaving the case totally up to HR, and he doesn't know when it will be resolved.

Hong also defended Nakamoto's right as "a terminated county employee" to support whom she chooses on her personal time. He praised her for being fair and impartial throughout her career.

"This is smoke being blown by some people who want to dump on her professional reputation," Hong said.

Email Nancy Cook Lauer at [ncook-lauer@westhawaii.com](mailto:ncook-lauer@westhawaii.com).

Comments for this page are closed.

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us x

Check your sources before you start commenting on something you have no knowledge about. Misinformed individuals like yourself and the idiots at the Herald have no business commenting about other people without knowing the facts! Furthermore it calls into question the validity of the upcoming election which is being organized by people with little to no experience.

07/09/2012 10:11 AM 2 Likes

Like



MediaKid1

you must be a friend of the people you back up. Do you think that it is not a conflict with Kawauchi who is appointed by Yagong should be working and running the elections office? I think that's wrong if she has access to election documents and ballots because she is hired by Yagong. She shouldn't be sitting in that office.

how can you explain that Maui voters received there yellow notice of information and address confirmation cards a month ago, and we haven't? the response I got when I called was I don't know maybe in a couple of weeks....

I don't really care if the vote by mail came out... I want to be sure I am in the correct district and be sure I get the right ballot... I'm concerned about that after this redistricting was done...

07/08/2012 12:24 AM in reply to punatic 2 Likes

Like



punatic

.....and yoshimoto is a clear example as to why University of Hawaii needs to close the UH law school.....far too many local boobs posing as attorneys!....."Thanks Daddy/Papa San!"

07/07/2012 06:56 PM

Like

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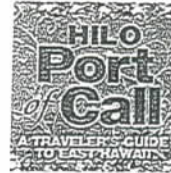
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**EXHIBIT "9."**

09-28



**punatic**

Precisely, taxed!

07/07/2012 06:50 PM in reply to Taxedtodeath 1 Like

Like



**punatic**

What a load you claim, mediakid.....the office is running just fine if not better since no 'sign making' and 'drunken parties' are any longer taking place.....I'm not alone, many people have stated the same.....in fact, (this year only) did I first receive notice of being able to register to vote by mail.....how's that a screw up?.....you're just another friend of the justifiably discharged element.....admit it!

07/07/2012 06:49 PM in reply to MediaKid1 1 Like

Like



**Taxedtodeath**

These workers got themselves fired by throwing parties, keeping alcohol on county property, covering for it, incompetence in allowing it, and running a business out of our warehouse. There should be reimbursement to the taxpayers for the use of our warehouse and utilities at the least by Shukima The old boyz don't like it because they do not control the elections office any longer.

This just shows how ingrained the old boy network is and why we need new leadership to clean house at the county.

07/07/2012 04:18 PM 2 Likes

Like



**HBelle22**

I agree. It is appalling that the media continues to attack Ms. Nakamoto with these defamatory stories; the story should really be focused on the Kawauchi/Yagong tag team combo—the very people who crusaded to get these select county individuals fired. It is NOT Ms. Nakamoto's integrity or what she does on her personal time that should be reported on; rather, it is the direct conflict of the Kawauchi/Yagong duo—CURRENT county employees—that we need to hear about.

Ms. Nakamoto was fired and IS not employed by the County. To continue to attack her reputation, integrity and dignity is unfair. This article should have focused on the current county employees and their conflict of interest before reporting a story that defames an individual. Ms. Nakamoto is owed an apology.

07/07/2012 02:38 PM in reply to MediaKid1 4 Likes

Like



**MediaKid1**

This doesn't make any sense to me... Nakamoto is NOT an employee of the county, so what does it matter if she participated in some campaigning events for her former boss... She is NOT working in the Elections office right now, so how is that a conflict?

The only CONFLICT I see that should be questioned is... Why is Jamae Kawauchi, the County Clerk, who is appointed by Dominic Yagong who is running for Mayor this year sitting in that Elections Office and supposedly running that Elections Office, which by the way is a BIG MESS.... I called that office the other day to ask when I'm going to receive my yellow notification card because I want to know where am I going to vote this year... Their response was "I don't know, probably in a couple of weeks." My son who goes to school on Maui, got his notification card a month ago... How are voters going to know where to vote? I'm pretty sure there will be a lot of changes after this redistricting was done? Elections is right around the corner... Are they even ready to run an honest election?

Is this how it has to go down to win some votes? To ruin this person's professional reputation and question her integrity is unfair... It really seems like these county employees who are seeking their jobs back are being attacked and are considered the victims... And all because of this political games...

07/07/2012 01:06 PM 5 Likes

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**EXHIBIT "9."**

09-29

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09-30

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