

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,  
LOCAL 646, AFL-CIO and HAWAII  
GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO,

Complainants,

and

BENJAMIN J. CAYETANO, Governor, State  
of Hawaii; LAWRENCE MIIKE, M.D.,  
Director, Department of Health, State of  
Hawaii, and STANLEY C. YEE, Chief,  
Developmental Disabilities Division,  
Department of Health, State of Hawaii,

Respondents.

CASE NOS.: CE-03-357a  
CE-10-357b  
CE-13-357c

ORDER NO. 2438

ORDER GRANTING MOTION FOR  
WITHDRAWAL AND SUBSTITUTION  
OF COUNSEL, FILED ON MARCH 6,  
2007

ORDER GRANTING MOTION FOR WITHDRAWAL  
AND SUBSTITUTION OF COUNSEL, FILED ON MARCH 6, 2007

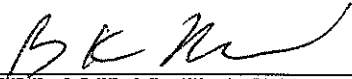
On March 6, 2007, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO ("HGEA") filed a motion for the withdrawal of the law firm of Takahashi Vasconcellos & Covert and the substitution of the law firm of Koshiba Agena and Kubota as its counsel in these proceedings with the Hawaii Labor Relations Board ("Board"). Herbert Takahashi, Complainant HGEA's counsel, states in an affidavit in support of the motion, that the law firm requests for good cause to withdraw from representing the HGEA in the above-entitled case. Mr. Takahashi also states that the law firm of Koshiba Agena and Kubota has agreed to substitute as counsel for the HGEA.

Thereafter on March 8, 2007, Respondents filed a response to the instant motion contending that the Complainant's counsel failed to specify why he seeks to withdraw from representing the HGEA and thus, the Board is unable to determine whether good cause exists to permit the substitution of counsel under the Hawaii Rules of Professional Conduct. Respondents also object to the withdrawal of counsel if it would result in a delay in the Board's issuing a ruling in this case.

After reviewing the record in this matter and the instant motion, the Board notes that its rules permit the parties appearing before it to be represented by counsel or any other authorized person. Hawaii Administrative Rules § 12-42-7(b). Thus, the parties are free to choose their representative before the Board. As Complainant HGEA seeks to substitute its counsel in this proceeding, the Board hereby grants the instant motion.

DATED: Honolulu, Hawaii, March 21, 2007

HAWAII LABOR RELATIONS BOARD

  
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BRIAN K. NAKAMURA, Chair

  
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EMORY J. SPRINGER, Member

Copies sent to:

- Herbert R. Takahashi, Esq.
- Jeffrey A. Keating, Deputy Attorney General
- James E.T. Koshiba, Esq.
- Joyce Najita, IRC