

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

STATE OF HAWAII

BARBARA F. CAMBRA,	)	CASE NO.: AB 2019-194(M)
	)	
Claimant-Appellee,	)	DCD No.: 7-89-00554
	)	D/A: December 27, 1988
vs.	)	
	)	
MAUI PINEAPPLE CO., LTD.,	)	
	)	
Employer-Appellee,	)	
	)	
and	)	
	)	
JOHN MULLEN & CO., INC.,	)	
	)	
Insurance Carrier-	)	
Appellee.	)	
	)	
<hr/>	)	
BARBARA F. CAMBRA,	)	CASE NO.: AB 2019-194(M)
	)	
Claimant-Appellee,	)	DCD NO.: 7-00-02932
	)	D/A: July 13, 1999
vs.	)	
	)	
SEABURY HALL,	)	
	)	
Employer-Appellant,	)	
	)	
and	)	
	)	
HAWAII INSURANCE GUARANTY	)	
ASSOCIATION,	)	
	)	
Insurance Carrier-	)	
Appellant.	)	
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Jun 20 2025, 9:27 am

**FILED**<sub>akw</sub>

Labor and Industrial Relations  
Appeals Board

ORDER DENYING WITHOUT PREJUDICE  
REQUEST FOR APPROVAL OF ATTORNEY'S FEE

This workers' compensation case is before the Labor and Industrial  
Relations Appeals Board on appeal by Employer SEABURY HALL and

Insurance Carrier HAWAII INSURANCE GUARANTY ASSOCIATION (collectively, “SEABURY HALL”) from the August 23, 2019 Decision Supplemental to Award Dated 11/16/1989 of the Director of Labor and Industrial Relations.

On May 13, 2025, the Board issued its Decision and Order in this matter.

On June 13, 2025, Brian G.S. Choy, Esq. (“Attorney”), attorney for Employer, submitted a Request for Approval of Attorney’s Fee, dated June 12, 2025 (“fee request”). The total amount requested was \$15,384.52 (\$14,359.50<sup>1</sup> in fees, taxes of \$676.40, plus costs of \$348.40).<sup>2</sup> Also on June 13, 2025, Attorney separately submitted his itemized billing statement in support of his fee request.

Section 12-47-55 of the Hawai‘i Administrative Rules, Labor and Industrial Relations Appeals Board Rules of Practice and Procedure (“LAB Rules”) states:

**Within ten calendar days following the filing of a final decision and order**, or upon the filing of a stipulation and settlement agreement with respect to an appeal compromised pursuant to section 386-78, HRS, attorneys seeking approval of fees pursuant to section 386-94, HRS shall file with the board a request for approval of attorney’s fees setting forth the various activities performed together with the time expended by the attorney in each activity.

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<sup>1</sup> While the fee request contains a notation stating “Atty #1 - \$175.00 Atty #2 - \$145.00,” Attorney did not specify the number of hours that each attorney billed at the stated hourly rates.

<sup>2</sup> The fee request also states that it was served on “Maui Pineapple/JM,” but does not provide the date on which service was made.

The request shall be served on those parties against whom the fees are to be assessed. Any party objecting to approval of a request may file a written objection thereto no later than ten calendar days following service. No request for approval of attorney's fees or agreement to pay attorney's fees shall be valid until approved by the board.

(emphasis added).

Accordingly, any request for approval of attorney's fee should have been received by the Board on or before May 23, 2025.

Attorney's fee request was submitted to the Board more than 10 calendar days after the Board issued its Decision and Order in this matter.

Attorney did not request an enlargement of time to submit his Request for Approval of Attorney's Fee, pursuant to Section 12-47-35, LAB Rules. Attorney's fee request was untimely.

Therefore, having considered Attorney's fee request, the record and file herein, and being fully apprised in the premises,

IT IS HEREBY ORDERED THAT Attorney's Request for Approval of Attorney's Fee, filed on June 13, 2025 shall be and hereby is DENIED without prejudice.

Attorney is afforded ten (10) calendar days in which to either:

1. File a copy of his fee request bearing a file-stamp that confirms that the Board received his fee request on or before May 23, 2025 with confirmation as to the date upon which Employer MAUI PINEAPPLE CO., LTD. and Insurance

Carrier JOHN MULLEN & CO. (collectively, “MAUI PINEAPPLE”) was served with said fee request; or

2. File a motion for enlargement of time, pursuant to Sections 12-47-32 and 12-47-35, LAB Rules, to submit an Amended Request for Approval of Attorney’s Fee<sup>3</sup>.

IT IS FURTHER HEREBY ORDERED THAT in the event that Attorney does not comply with one of the two foregoing options in ten (10) calendar days, Attorney’s Request for Approval of Attorney’s Fee, dated June 12, 2025 and filed on June 13, 2025, shall be and hereby is DENIED WITH PREJUDICE.

Dated: Honolulu, Hawai‘i,

Jun 20 2025



DAMIEN A. ELEFANTE, Chair



MARIE C.L. LADERTA, Member



HARRY YEE, Member

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*Barbara F. Cambra v. Maui Pineapple Co., Ltd., et al.; AB 2019-194(M); Order Denying Without Prejudice Request for Approval of Attorney’s Fee*

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<sup>3</sup> In the event that the Board grants an enlargement of time for Attorney to submit an Amended Request for Approval of Attorney’s Fee, Attorney must ensure that all deficiencies and omissions regarding his fee request filed on June 13, 2025 and identified herein are cured in his amended fee request.

Brian G. S. Choy, Esq.  
For Employer/Insurance  
Carrier-Appellant SEABURY HALL

Buena Allyn Cabral  
For Employer/Insurance Carrier-Appellee  
MAUI PINEAPPLE CO., LTD.

A certified copy of the foregoing was served upon the above-captioned parties or their legal representatives on the date of filing noted above.

Order mailed: Jun 20 2025

LABOR APPEALS BOARD - 830 PUNCHBOWL ST, RM 404, HONOLULU, HI 96813 - (808)586-8600

If you need a language interpreter or if you need an auxiliary aid/service or other accommodation due to a disability, please contact the Board at (808) 586-8600 and/or [dlir.appealsboard@hawaii.gov](mailto:dlir.appealsboard@hawaii.gov) as soon as possible, preferably at least ten (10) business days prior to your hearing or conference date. Requests made as early as possible have a greater likelihood of being fulfilled. If a request is received after the reply date, the Board will try to obtain the interpreter, auxiliary aid/service, or accommodation, but the Board cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate/accessible formats such as large print, Braille, or electronic copy.

Equal Opportunity Employer/Program  
Auxiliary aids and services are available  
upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8600

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*Barbara F. Cambra v. Maui Pineapple Co., Ltd., et al.; AB 2019-194(M); Order Denying Without Prejudice Request for Approval of Attorney's Fee*

This certifies that the foregoing is a  
full, true, and correct copy of the  
original on file in this office.

/s/ *A. Watanabe* for LIRAB