

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

STATE OF HAWAII

In the Matter of	)	CASE NO.: AB 2025-034
Attorney's Fees Pertaining to	)	DCD No.: 2-08-06899
	)	
DAVID J. MIKONCZYK, ESQ.,	)	
	)	D/A: 6/6/2008
Appellee, Deceased,	)	
	)	
In the Case of	)	Oct 21 2025, 9:30 am
	)	
MADELINE MENDES,	)	<b>FILED</b> <sub>akw</sub>
	)	Labor and Industrial Relations
Claimant-Appellant,	)	Appeals Board
	)	
vs.	)	
	)	
CITY AND COUNTY OF HONOLULU,	)	
DEPARTMENT OF PARKS AND	)	
RECREATION,	)	
	)	
Employer-Appellee, Self-	)	
Insured,	)	
	)	
and	)	
	)	
CITY AND COUNTY OF HONOLULU,	)	
DEPARTMENT OF HUMAN	)	
RESOURCES/ISWC,	)	
	)	
Insurance Adjuster-	)	
Appellee.	)	

ORDER LIFTING ABEYANCE

On April 3, 2025, Claimant MADELINE MENDES, a self-represented litigant, appealed the Approval of Attorney's Fees, entered by the Director of Labor and Industrial Relations ("Director") on October 19, 2021 ("Director's Decision"), which allowed DAVID J. MIKONCZYK, ESQ. an

attorney's fee of \$17,496.22, to the Labor and Industrial Relations Appeals Board ("Board").

The Board takes judicial notice that DAVID J. MIKONCZYK, ESQ., an attorney who regularly appeared before the Board, died on or about July 28, 2020.

On April 15, 2025, the Board entered an Order Holding Case in Abeyance.

Pursuant to the Board's April 15, 2025 order, on August 27, 2025, Claimant filed a notice with the Board and represented that as of August 13, 2025, no personal representative or special administrator for the Estate of DAVID J. MIKONCZYK, ESQ. was appointed by a court.

To date, no court-appointed personal representative or special administrator of DAVID J. MIKONCZYK, ESQ.'s estate has appeared in this appeal.<sup>1</sup>

IT IS HEREBY ORDERED that the abeyance of this matter is LIFTED.

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<sup>1</sup> The Board notes that DAVID J. MIKONCZYK, ESQ.'s spouse, Deborah Mikonczyk, signed a Request for Approval of Attorney's Fees, dated August 2, 2021 and filed with the Director on August 5, 2021, which is the subject of the Director's Decision, appealed herein. Deborah Mikonczyk submitted an undated declaration with the Request for Approval of Attorney's Fees, stating that she was "authorized to request attorney [sic] fees on behalf of attorney David J. Mikonczyk," However, the record is devoid of any court-ordered appointment of Deborah Mikonczyk as the personal representative or special administrator of DAVID J. MIKONCZYK, ESQ.'s estate.

Dated: Honolulu, Hawai'i,

Oct 21 2025



DAMIEN A. ELEFANTE, Chair



MARIE C.L. LADERTA, Member



HARRY YEE, Member

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*In the Matter of Attorney's Fees Pertaining to David J. Mikonczyk, Esq. in the Case of Madeline Mendes v. City and County of Honolulu, Department of Parks and Recreation, et al.; AB 2025-034; Order Lifting Abeyance*

A digital copy of this document was posted on the Board's website and will remain on the Board's website for at least 180 days from the date of filing noted above.

Madeline Mendes  
For Claimant-Appellant

David J. Mikonczyk, Esq.  
For Appellee, Deceased

Romney Bitanga  
For Employer, Self-  
Insured/Insurance Adjuster-  
Appellee

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

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.

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TDD/TTY Dial 711 then ask for (808) 586-8600

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*In the Matter of Attorney's Fees Pertaining to David J. Mikonczyk, Esq. in the Case of Madeline Mendes v. City and County of Honolulu, Department of Parks and Recreation, et al.; AB 2025-034; Order Lifting Abeyance*

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