

Bruce D. Voss

Partner

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Services

Complex Business Litigation

Construction Law & Litigation

Real Estate Litigation

Real Estate Development

Corporate Business Transactions

Trust & Estate Litigation

Admissions

Hawaii

U.S. Federal Courts

U.S. District Court District of Hawaii

U.S. Court of Appeals Ninth Circuit

Education

J.D., Richardson School of Law, University of Hawai'i at Mānoa

Kalaheo High School, Kailua, Hawaii

Overview

Bruce Voss is an experienced and tenacious business litigation attorney, whose approach has helped clients achieve good results in difficult situations. With his background as a former Hawaii business news reporter who once covered many of the issues he now litigates, Mr. Voss is a strong communicator and relentless advocate for his client's position.

Mr. Voss' practice emphasizes real estate and land use litigation, complex business disputes, valuation disputes, and employment law and litigation. He also has successfully handled major construction litigation; constitutional law litigation; land use entitlement compliance and development approvals at some of Hawaii's biggest development projects; large liability wrongful death and personal injury cases; and media law/defamation claims.

Experience

Select Results

Real Estate Litigation

- Represented HRPT Properties Trust in a well-publicized lawsuit challenging the constitutionality of a bill passed by the Hawaii State Legislature that would have changed the terms of HRPT's long-term land leases. U.S. District Judge Susan Oki Mollway declared the law unconstitutional, as a violation of both the Contracts Clause and Equal Protection Clause. *See HRPT Properties Trust v.*

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Lingle, 715 F. Supp. 2d 1115 (D. Haw. 2010)

- Represented both landowners and lessees in more than 50 lease rent arbitrations to set the rent under Hawaii long-term land leases.
- Represented the owners of land in Mapunapuna in a high-profile lawsuit against the City & County of Honolulu and the State of Hawaii, to stop the tidal flooding that has plagued the area for three decades. After discovery and depositions, the City and State agreed to a Court-ordered remediation to halt the tidal flooding.
- Represented a Big Island owner in a precedent setting lawsuit overturning the State Land Use Commission's unlawful down-zoning of a 1,000-acre Kohala Coast property planned for a major residential mixed-use development. The Circuit Court Order, finding that the LUC violated its own statute, was affirmed by the Hawaii Supreme Court in *Bridge Aina Lea LLC v. State of Hawaii Land Use Commission*, 134 Haw. 187 (2014)
- Represented Waikoloa Development Co. in obtaining a federal court order requiring Hilton Resorts Corp. to build the long-planned "north intersection" at the Waikoloa Resort on the Big Island. *See Waikoloa Development Co. v. Hilton Resorts Corp., 2014 U.S. Dist. Lexis 103612*

Complex Business Litigation

- Represented the Seibu Group companies in litigation by Japanese nationals challenging the ownership of several hundred million dollars worth of Hawaii properties, including the Mauna Kea and Makena resorts. The Circuit Court granted a Motion to Dismiss, dismissing all claims against the Seibu companies, and the dismissal was affirmed by the Hawaii Intermediate Court of Appeals. *See Tsutsumi v. Hawaii Prince Hotel Waikiki Corp. et al*, 119 Haw. 321 (2008).
- Represented Princess Abigail Kawananakoa in complex, contentious trust litigation involving her trust worth more than $200 million.
- Represented Central Pacific Bank in complex litigation and administrative proceedings arising from the bank's planned takeover of City Bank. The case was Hawaii's first takeover litigation in more than a decade. Central Pacific Bank successfully completed the takeover of City Bank.
- Represented Stanford Carr Development Corp. in a six-week jury trial against Unity House on complicated claims arising from loans and lender interference on an Oahu housing project. The jury ruled that Stanford Carr Development was not liable for any of the $7 million in claimed loan liabilities; the jury verdict was affirmed by a Hawaii Supreme Court decision that established lender liability law in this state. *See Stanford Carr Development Corp. v. Unity House, Inc.*, 111 Haw. 286 (2006).
- Represented banks and secondary lenders on major commercial foreclosures, lender liability claims, and loan workouts.

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- Represented a Big Island contractor on claims that two people had defamed the contractor and harmed his business. The Defendants' insurance company paid the contractor $1 million to resolve the case, believed to be one of the largest defamation settlements in state history.
- Represented Kamehameha Schools Trustee Oswald Stender in his Petition to Remove fellow Trustee Lokelani Lindsey, to stop the harm she was causing to the Schools' students and the Schools' mission. After a highly-publicized five-month trial, the Circuit Court removed Lindsey as a trustee, and the removal was affirmed by the Hawaii Supreme Court.
- Represented a major Hawaii landowner and obtained a $1 million fraudulent conveyance trial verdict against a lessee.
- Represented a large Hawaii contractor and obtained a $12 million arbitration award arising from work on the Honolulu rail transit project.

Employment-Related Litigation

- Represented Xerox Corp. and its managers in the numerous negligent retention/workplace violence lawsuits filed after Byron Uyesugi shot and killed seven of his Xerox co-workers in 1999. Mr. Voss deposed the killer, Uyesugi, in prison. After extensive discovery and motions, all claims were resolved.
- Obtained dismissal of multiple sex abuse claims against Hawaii employers on the grounds the claims were time barred.
- Represented the employer on the first evidentiary hearing held by the Hawaii Civil Rights Commission in more than a decade.
- Represented Hawaii employers on numerous claims filed with the E.E.O.C., Hawaii Civil Rights Commission, and state and federal courts, jury and non-jury trials, including claims of alleged race and age discrimination, retaliation, whistleblowing, breach of contract, emotional distress, non-compete violations, family leave law violations, and wage law violations.

Representative Clients

- Gray Local Media, Inc. dba Hawaii News Now
- Nexstar Media, Inc. dba KHON2-TV
- PBS Hawaii
- The RMR Group LLC
- Waikoloa Development Co.
- The Roman Catholic Church in the State of Hawaii
- Green Energy Team, LLC
- Kobayashi Group, LLC
- Xerox Corp.

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- Princess Abigail Kawananakoa
- Kamehameha Schools
- Watts Constructors, LLC
- Alliant Insurance Services
- Hu Honua Bioenergy, LLC
- ValueRock Realty REIT
- Industrial Logistics Properties Trust REIT
- Boyd Gaming Corp.
- Central Pacific Bank

Honors

- Appointed to the Hawai‘i State Board of Education by Governor David Ige (2016)
  - Hawai‘i State Board of Education, Chair (2022-2023)

Affiliations

Professional Associations & Memberships

- State of Hawaii Board of Education, Member, 2016-2023; Board Chair, 2022-2023
- PBS Hawaii, Director, 2014-2022
- Hawaii State Bar Association, Member

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