



Mark M. Murakami
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Practice

Appeals

Business & Commercial Law

Construction Law

Land Use & Eminent Domain

Litigation & Dispute Resolution

Real Estate

Wills, Trusts & Estates

Education

University of Hawaii, William S. Richardson School of Law (J.D. 1999)

U.S. Coast Guard Academy
(B.S. 1992)

Blog

www.hawaiiioceanlaw.com

Mark Murakami practices in the firm's Appeals, Business & Commercial Law, Construction Law, Land Use & Eminent Domain, Litigation & Dispute Resolution, Real Estate, and Wills, Trusts & Estates practice groups. His focus is on complex commercial disputes, land use negotiation and litigation, environmental, and general civil litigation. He has appeared in all federal and states courts in Hawaii, most of the administrative boards and commissions, and is licensed in the U.S. Supreme Court, Ninth Circuit Court of Appeals and Court of Federal Claims. He is rated "BV" by Martindale-Hubbell, receiving a rating of 4.4/5.0. He has been elected Vice President of the Hawaii State Bar Association for 2023 and will assume the office of President in 2025.

Mark has been appointed to a leadership position in the American Bar Association Section of Litigation. He will serve as Co-Chair for the Real Estate, Condemnation & Trust Litigation Committee and will be responsible for programming and publications for the nationwide membership.

Mark has been elected as the Hawaii member of Owners' Counsel of America (OCA), an exclusive association of the nation's leading eminent domain lawyers. Eminent domain is the legal process by which the government acquires private property for public uses, most often by forcing the owner to sell it. Membership in OCA is by invitation-only, and limited to a single member in each state. Members are selected for their experience and dedication in defending the constitutional rights of private property owners in eminent domain, inverse condemnation, regulatory takings, and other property rights matters.

Mark was elected a Fellow of the American College of Real Estate Lawyers (ACREL). Admission to the College is by invitation only to lawyers who are distinguished real estate practitioners and who have contributed to the improvement of real estate law through a combination of speaking, writing, teaching, and serving on relevant boards and commissions. Founded in 1978, the College is comprised of more than 1,000 lawyers distinguished for their skill, experience, and high standards of professional and ethical conduct in the practice of real estate law.

Mark was awarded the CRE (Counselor of Real Estate) credential by The Counselors of Real Estate, an international association of experienced real estate practitioners including appraisers, lawyers, and brokers, who provide expert advisory services to clients on complex real property and land-related

matters. Membership in The Counselors of Real Estate is selective and is extended by invitation only, attesting to the practitioner's expertise and proven competence in his or her chosen area of real estate.

Mark once again was selected by his peers for inclusion in the 2024 Edition of The Best Lawyers in America® for his work in Commercial Litigation, Eminent Domain & Condemnation Law, Land Use & Zoning Law, Real Estate Law, Trusts & Estates, Litigation-Real Estate, and Litigation-Trusts & Estates. He was also named the Best Lawyers® 2013 Lawyer of the Year Eminent Domain & Condemnation Law. Mark has been selected by Super Lawyers for over 10 years.

Mark was the Valedictorian of the Class of 1999 from the University of Hawaii at Manoa, William S. Richardson School of Law where he served as Articles Editor of the University of Hawaii Law Review. He has received numerous academic awards, including: Dean's Scholar, Porter Scholastic Award (2 times); Awards for highest grade in Property I, Torts I, Contracts I, Corporations, and Professional Responsibility; Kono Award for Academic Achievement; Phi Delta Phi Professional Responsibility Award; HSBA Real Property and Financial Services Section Award.

He is also a graduate of the U.S. Coast Guard Academy in New London, Connecticut. He served for 13 years on active duty before joining the U.S. Coast Guard Reserve in 2005. During his time on active duty, he served on three different Coast Guard cutters, including command of a patrol boat in California. He spent four years assigned to the Fourteenth Coast Guard District Legal Office, prosecuting courts-martial, litigating cases in federal court as a Special Assistant U.S. Attorney, and advising Coast Guard officials on maritime, criminal, environmental and international law issues.

Mark has been awarded the Legion of Merit, the Defense Meritorious Service Medal, two Meritorious Service Medals, the Joint Service Commendation Medal, two Coast Guard Commendation Medals and four Coast Guard Achievement Medals. He retired in July 2022 as a Captain, culminating thirty years of active duty and reserve commissioned service.

To view his blog on federal litigation and maritime law, in and around Hawaii and Oceania, please visit: www.hawaiiocanlaw.com.

Mark was born on Maui and raised in Kailua, Oahu. He is a graduate of Kailua High School and was active in the Castle Performing Arts Center.

Representative Cases:

- Kostick v. Nago, 960 F. Supp. 2d 1074 (D. Haw. 2013) (three judge panel) (On Briefs)
- Kauai Springs, Inc. v. Kauai Planning Commission, 133 Haw. 141 (2014) (On Briefs)
- Oahu Publications dba Honolulu Star-Advertiser v. Abercrombie, 134 Haw. 16 (2014) (On Briefs)
- C. Brewer and Co. Ltd. v. Industrial Indemnity, 2013 Haw. App. LEXIS 472 (Ct. App. 2013) (On Briefs)
- NePage v. Estate of NePage-Fontes, 129 Haw. 450 (Ct. App. 2013)
- Nordic PCL v. LPHIGC, LLC, 133 Haw. 451 (Ct. App. 2014) (On Briefs)
- District Council 50 v. Lopez, 129 Haw. 281 (2013) (Amicus Brief)
- Guggenheim v. City of Goleta, Supreme Court Docket No. 10-1125, Cert Denied (2011) (Amicus Brief)
- United States v. Tohono O'odham Nation, 131 S. Ct. 1723, (2011) (Amicus Brief)
- County of Hawaii v. Coupe Family Limited Partnership, Supreme Court

Docket No. 11-75 (on Cert Petition)

- Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection, et al. 130 S. Ct. 2592 (2010) (Amicus Brief)
- County of Hawaii v. Coupe Family Limited Partnership, 124 Haw. 281 (2010) (On Briefs)
- County of Hawaii v. Coupe Family Limited Partnership, 120 Haw. 400 (2009) (On Briefs)
- Winter v. NRDC, 129 S. Ct. 365 (2008) (Amicus Brief)
- County of Hawaii v. C&J Coupe Family Limited Partnership, 129 Haw. 281 (2010)
- County of Hawaii v. Coupe Family Limited Partnership, 119 Haw. 352 (2008) (Trial Counsel and on Briefs)
- UFO Chuting v. Thielen, Supreme Court Docket No. 07-1427, (2008) (Amicus Brief on Cert Petition)
- MVRA v. County of Maui, Ninth Circuit Court of Appeals (Unpublished Decision) (2008) (On Brief)
- U.S. v. Lei Shi, 525 F. 3d 709 (9th Cir. 2007, Cert Denied (Agency Counsel)

Professional and Community Affiliations

- American Bar Association
 - Litigation
 - Real Estate, Condemnation, and Trust Litigation Committee, Programming Co-Chair (2013 – Present)
- Hawaii State Bar Association Board Vice President, 2023
 - Treasurer (2014-2017)
 - Oahu Board Member (2012 – 2013)
- Captain, U.S. Coast Guard Reserve (retired)
- Disabled American Veterans
- Domestic Violence Clearinghouse and Legal Hotline Board (2000-2003)
- Good Beginnings Alliance, Board Member (2011)
- I'm A Bright Kid Foundation, Vice President (2016 – Present)
- Lecturer-in-Law, University of Hawaii (2022)
- Military Officers Association of America
- Owners' Counsel of America
- The Counselors of Real Estate
- The Pacific Club
- The Army Navy Club
- United States Coast Guard Academy Alumni Association
- United States Naval Institute

Publications

- Hawaii State Bar Association, Hawaii Probate Forms Manual – Contested Matters Chapter (2014)
- Hawaii State Bar Association, Federal Appeals Manual (2013)
- Eminent Domain: A Handbook of Condemnation Law (2011) (Co-Author)
- Damages Resulting From A Taking: An Overview; ABA State and Local Government Section (2011) (Co-Author)
- Of Woodchucks and Prune Yards: A View of Judicial Takings From the Trenches, 35 Vt. L. Rev. 437 (2010) (with Robert H. Thomas and Tred Eyerly)
- Laws Can Play Critical Role in Fighting Piracy, Pacific Business News, May 1, 2009
- Co-author, Justice Ruth Bader Ginsburg and Gender Discrimination, 20 Hawaii Law Rev. 699 (1998)

- Co-author, Op-Ed, Ruling Preserves Navy Strength in Defense, Honolulu Advertiser, December 4, 2008.
- Author, From Details to Concepts: The New Development Plans, published in the HSBA Real Estate Section Newsletter (1998)
- Blog: www.hawaiiocanlaw.com

Presentations

- HSBA Probate Section – New Probate Forms Manual (January 2014)
- HSBA Real Property and Financial Services Section – Litigation Update (November 2013)
- Seminar Group – 2nd Annual Eminent Domain and Condemnation Law (August 2013)
- Federal Appeals – Hawaii State Bar Association Appellate Law Section (March 2013)
- Seminar Group – Eminent Domain and Condemnation Law (July 2012) Co-Panelist, University of Hawaii Law School, Professional Responsibility, February 8, 2012
- Lecturer, Policy and Strategy of National Committee for Maritime Security, May 24 – 26, 2011
- Guest Lecturer, Domestic Ocean Law, U.H. Law School, March 19, 2009
- Panelist, Professional Responsibility, U.H. Law School, March 16, 2009
- Rotary Club, Windward Oahu Chapter, Winter and Sonar, March 12, 2009
- Lorman Seminar, Advanced Land Use, February 29, 2009
- Lorman Seminar, Costal Equity and Land Use, August 19, 2008
- Lorman Seminar, Advanced Zoning and Land Use, February 20, 2008



