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A LAW CORPORATION

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March 29, 2012

Dante K. Carpenter
Chair
Democratic Party of Hawaii
1050 Ala Moana Boulevard
Honolulu, Hawaii 96814

Re: Laura Thielen

Dear Chair Carpenter:

As you know we have been assisting Laura Thielen in her effort to run as a Democrat for election to the Hawaii State Senate in the upcoming primary election. We are dismayed by a recent decision of the Oahu County Democratic Committee that purports to bar Laura from running although she is a member in good standing of the Democratic Party and meets all of the current state statutory requirements to file as a candidate. In our view this controversy is likely to be embarrassing to the party and its candidates if the matter cannot be resolved promptly to the mutual satisfaction of all of the parties.

We understand that there is a recently adopted Party rule that seeks to establish a six month period of membership in good standing in order for candidates to run in the Democratic Party primary election. However, under applicable state law the only reference to party affiliation appears in HRS Section 12-7, subsection 7, which requires "sworn certification by self-subscribing oath by a party candidate that the candidate is a member of the party."

Accordingly, under the state elections law, it is our understanding that Laura may file for candidacy and simply declare -- as is the fact -- that she is a member of the Democratic Party of Hawaii. Apparently there is no issue that she is a member of the Democratic Party, as indicated in your e-mail three days ago. Once Laura files her declaration the Party would have to either expel her utilizing the process set forth in its Constitution, or file a petition in Circuit Court objecting to her candidacy. Under HRS Section 12-8(f) the only legitimate ground for such an objection is that "the candidate is not a member of the party pursuant to the party's rules," but that objection seems to be foreclosed.

To the extent that the Party by its recent rule change has sought to establish some new and additional criteria for its candidates we believe that both the state and federal courts ultimately would declare the rule to be ineffective and unconstitutional (1) because of an inconsistency under current state law, and (2) because of potential limitations upon the broad rights to association, access to the ballot, and electoral processes enshrined in both the First Amendment to the United States Constitution and Article I of the Constitution of the State of Hawaii. Additionally, because the Oahu Committee action was taken in an executive session and the reasons for the decision have not been

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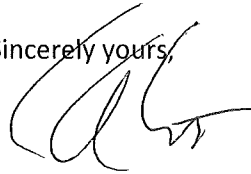
disclosed, there are potential issues about fairness and openness that should be of concern to all of us.

Laura does not want to take any actions to potentially embarrass the party or affect its opportunities for success in the upcoming elections which is why we have followed the appropriate procedures and declined thus far to discuss this matter publicly. Nor do we disagree with the concerns and reasons which led to the adoption of the rule change to prevent interlopers from simply registering as Democrats at the last minute simply as a device or tactic to run for election. Nevertheless, in our view the current rule is defective and unenforceable. More importantly, the rule is being employed here to prevent the candidacy of someone who clearly is not a political opportunist and has supported the core policies and principles of your Party for a very long period of time.

I don't personally agree with everything that Laura has said and done over the course of her career, but I admire her principles, her independence, and her courage, and it is clear to me that she is and will continue to be an asset to the Democratic Party of Hawaii. I therefore do not understand why the Oahu Committee or anyone else would want to precipitate a dispute over her qualifications to run for office based upon a rule which likely cannot and should not be enforced in these circumstances.

If our legal analysis of the situation is flawed we certainly would be happy to consider other opinions and interpretations. We would prefer, however, in light of all of the considerations, to simply have an exception granted to Laura so that she may proceed with her candidacy without further controversy or unnecessary dispute. To that end, we would be happy to meet with you in advance of this Saturday's State Central Committee session, and we look forward to an amicable resolution of the matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Eric A. Seitz', written over the typed name below.

Eric A. Seitz