

## HONOLULU MAGAZINE 2012 LAWYER OF THE YEAR

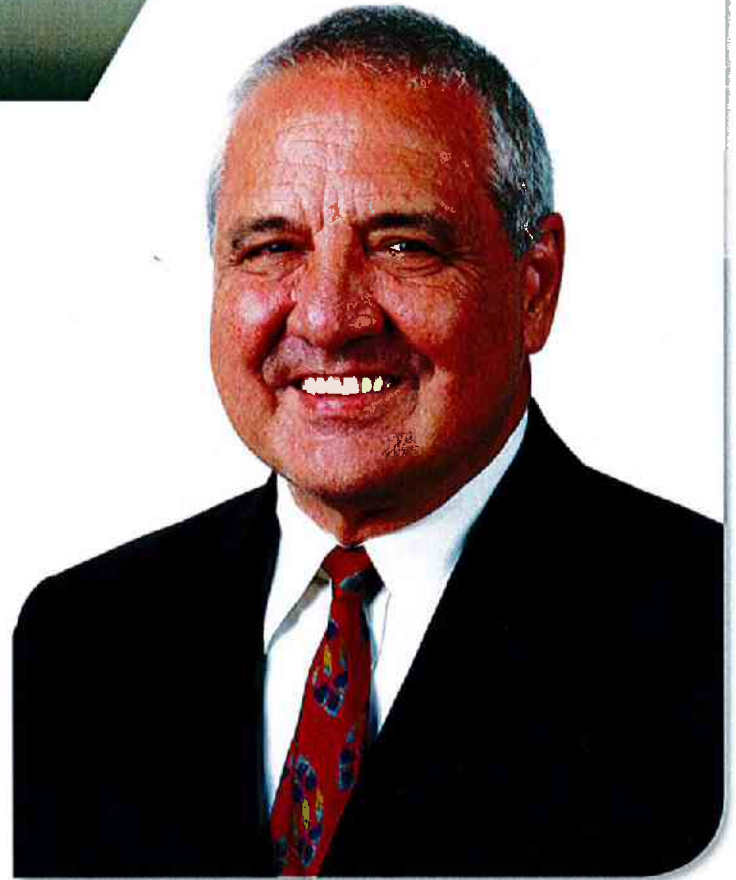


With more than 20 years of experience in the area of ERISA (Employee Retirement Income Security Act) and other benefits law, John D'Amato is gratified by his recognition as Lawyer of the Year in Employee Benefits, viewing it as an affirmation of his firm's reputation.

"We have tried to build a reputation for doing good work, being responsive to clients, and collegial with peers," says D'Amato, partner and co-founder with Tom Maloney of D'Amato & Maloney. Their firm philosophy emphasizes client service that exceeds expectations and is conducted with courtesy, respect, trust and confidence.

As a boutique firm of just three lawyers, including associate Will Lee, D'Amato & Maloney is set apart from most benefit practices with its problem-driven, rather than form-driven, approach to assisting employers with benefit plan issues, including in the areas of compliance, business transactions, and litigation. D'Amato says problems can arise from the technical difficulty of administering benefit plans, the need to develop special plans for key employees or for large and complex companies, business transactions, and the inevitable conflicts among benefit plan participants, their employers, and third parties, such as insurance companies.

"We focus on helping businesses solve problems in plan design and administration, business deals, and litigation," says D'Amato, a Yale Law School graduate, who believes "the only way to learn benefits law is to practice it." He has implemented retirement and welfare plans and assisted in resolving benefit plan issues for some of Hawaii's largest companies, including Hawaiian Telcom, Bank of Hawaii, HEI, Inc., and Oceanic Cable, and has both defended against and asserted ERISA claims in litigation. D'Amato



has special expertise in the impact of employee benefits on business transactions, having served as benefits counsel in numerous transactions, including the sales of the Princeville Resort, Kahala Hotel and the Grand Wailea Resort.

But D'Amato says that his firm's most significant case is *Jackson vs. Abercrombie*, a *pro bono* case outside his firm's usual practice area. "In that case," D'Amato says, "we are seeking recognition of the right to marry for gay and lesbian couples." D'Amato has appealed the local court's judgment against his clients to the Ninth Circuit Court.

"Benefits law is constantly changing," says D'Amato, citing new disclosure laws for retirement plans, evolving medical privacy laws, and new federal health insurance mandates effective in January 2014. "We look forward to continuing to help our clients understand, comply with and solve benefit law problems for their companies and employees."

JOHN D'AMATO

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