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FIRST CIRCUIT
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1. Nelson is a resident of the City and County of Honolulu, State of Hawaii, and since August of 2020, has been the Dean of the William S. Richardson School of Law (“**WSRSL**”).

2. Lawson is a resident of the City and County of Honolulu, State of Hawaii, and has been teaching at WSRSL since 2012.

3. On February 17, 2023, Lawson attended a WSRSL faculty meeting (“**2/17/23 MTG**”) where Lawson planned to and followed through on hijacking the meeting to attack and scare Nelson and WSRSL for the purpose of obtaining compensation he is not entitled to. On February 18 and 21, 2023, Lawson published false statements about Nelson’s conduct at the 2/17/23 MTG to the WSRSL community to further his plan to extort compensation from the University.

4. Since August 2023, Lawson has filed five lawsuits against the University of Hawaii (“**University**”), Nelson and University Provost Michael Bruno (“**Bruno**”). Two cases were filed in United States District Court for the District of Hawaii (“**D. Haw.**”) and three were filed in Circuit Court of the First Circuit, State of Hawaii (“**1st Cir.**”). This case is the fifth lawsuit.

5. The five lawsuits are:

23-cv-00348 filed 8/21/23 in D. Haw.

1CCV-23-0001391 filed 10/25/23 in 1st Cir.

1CCV-24-0000340 filed 3/14/24 in 1st Cir.

24-cv-00172 filed 4/15/24 in D. Haw.

1CCV-25-0000036 filed 1/10/25 in 1st Cir.

(“**5 Lawsuits**”)

6. Lawson's

12. Lawson’s false statements and intentional, reckless and outrageous conduct started with 2/17/23 MTG where Lawson planned to and followed through on hijacking the meeting and to attack and scare Nelson and WSRSL for the purpose of obtaining compensation he is not entitled to.

13. Before the 2/17/23 MTG, on February 10, 2023, Lawson filed a grievance under the applicable University CBA on the grounds that the University wrongfully denied his request to increase his salary due to race and sex discrimination. Nelson participated in that decision on behalf of the University along with President David Lassner and Provost Michael Bruno.

14. On April 4, 2023, Nelson was interviewed by University investigating officers Maura Okamoto and Daniel Sato who were investigating violations of workplace policies related to Lawson’s conduct at the 2/17/23 MTG (“**2/17/23 MTG UH Investigation**”). The interview statement provides:

April 4, 2023

10:00AM

Zoom

The following is a summary of the interview with Camille Nelson, Dean of the William S. Richardson School of Law pertaining to the alleged violations of the University of Hawaii’s Executive Policy EP 9.210, Workplace Non-Violence; Executive Policy 1.204, Sex and Gender Based Misconduct Executive Policy 1.202, Nondiscrimination, Equal Opportunity and Affirmative Action by Kenneth Lawson. Dean Jonathan Osorio is the decision-maker in this case.

I started as Dean of the William S. Richardson Law School at UH in August, 2020, during the [COVID-19] pandemic. Professor Lawson was a member of the faculty at that time. He must have been a faculty member for at least 10 to 12 years as he is a tenured specialist faculty within the law school. I’m not sure exactly when he was tenured under the previous administration.

I’ve known of Professor Lawson from before I started here as the dean of the law school; I taught at UHM on and off since the early 2000s and took my first sabbatical here (UHM), though I don’t think Professor Lawson was on the faculty at that time. I would describe my relationship with Professor Lawson as a more “in the room”

aside from that, we haven't really seen much of each other. Even now, when most faculty are back on campus, I hadn't really seen him a lot until that [February 17] meeting. I think that meeting was the first meeting of the faculty he's attended in person. He's usually on Zoom, and even then, he usually has his screen (webcam) off, so he's not seen.

The meeting of the faculty on the afternoon of Friday February 17, 2023 was a special meeting for Appointments Committee faculty hiring conversations. We normally have regular faculty meetings on the third Wednesday of every month. The Associate Dean for Academic Affairs calls the meetings. The regular meeting was scheduled and a call for agenda items was put out. However, due to few or no items, that meeting was canceled, and any items were to be discussed at the special faculty meeting on Friday. At the beginning of meetings, I usually give a Dean's report, which I did in this case. Then I thought I would be able to turn the meeting over to Richard Chen, who is the professor who chairs the Appointments Committee, for the special meeting agenda, which was about discussing faculty candidates for hiring. I arrived at the meeting early. The meeting room was one of the rooms that have an oblong table that people can sit around. The meeting was hybrid and some attendees were on screen via Zoom. Professor Lawson came into the room a little later than me-I noted this because he Doesn't normally come to meetings in person. I said "hi" to him but he didn't respond maybe he didn't hear me. I gave my Dean's report and asked if anyone had questions or had anything to share. This would normally be a time when faculty might share accolades about colleagues, discuss upcoming events, or other community matters, especially invitations and other items that might recognize people or encourage participation. Professor Lawson raised his hand, so I called on him. He was in the

Professor Lawson. He interrupted Carole and called her a nice racist. He said “it's people like you” and made a comment about her being like the white people in the book about white people who are fragile. I felt I had to jump in again as he was directing his anger at Carole now. I suggested to him that the book he was referencing was Fragility by Robin Diangelo and tried to interject to stop his anger from being directed at Carole, but that didn't work as he continued.

It was apparent that Professor Lawson was directing his rage at three different women and no one else was saying anything. They were probably too scared to say anything. They probably thought that if, to Professor Lawson, I wasn't black enough, then obviously no one else would be black enough for him. Eventually, he came to the end of his diatribe. I asked if anyone from the committee, in the room, or on Zoom wanted to add anything. There was a student on Zoom, who had witnessed this and she turned on her video and apologized to Professor Lawson for all of the things he had had to go through. She was crying. Assistant Prof. Emile Loza deSiles, who was also in the zoom room, also said she was sorry about how he felt as she was on the committee. I asked Professor Lawson if he had anything else to say, he said “no, I'm done”.

At this point I was wondering “what do I do now?”. The dean's report slides were still up. Do we continue the hiring meeting? I asked Rich Chen if he was comfortable leading the faculty hiring meeting, he said “sure”. Rich put his slides up. Professor Lawson stayed for a while, maybe 10-15 minutes, then left. I'm not sure if he rejoined the meeting Zoom.

The events of the meeting took everyone, including myself, by surprise. There's an expectation that talking about a committee concern, such as the one that Professor Lawson brought up, would be done at a regular faculty meeting. It should have been on an agenda so people could be prepared.

The fact-finders then asked who the members of the diversity committee are. I told them Susan Serrano is the chair, and a few others members ... Miyoko Pettit-Toledo, Andrea Freeman to name a few. They asked if the diversity committee was the one putting on the lunchtime event. I told them, yes, the committee was meant to have a conversation and it extended through lunch to have conversations about the letter.

15. WSRS Associate Dean, Nicholas A. Mirkay III (“**Mirkay**”), was at the 2/17/23 MTG, and provided a declaration in 23-cv-00348 filed 8/21/23 in D. Haw. that confirmed Nelson’s recollection of the 2/17/23 MTG and also expressed his observation that immediately after the meeting that Nelson was “visibly shaken and emotionally distraught”, “crying” and “visibly jarred and defeated.”

16. The email Nelson referred to in her interview statement is an email from Lawson dated February 18, 2023, where he stated:

Kenneth Lawson <kenlawdog@gmail.com>Sat, Feb 18, 2023 at 3:26 PM
To: Camille Nelson <nelsonca@hawaii.edu>
Cc: dshek@hawaii.edu, susanks@hawaii.edu, mtpettit@hawaii.edu, Nicholas Mirkay<namirkay@hawaii.edu>, tynakamu@hawaii.edu

Camille,

I have copied others on this email. I do not have the email address of Troy Ballard or all of the committee members of the Diversity and Inclusion Committee. Someone be kind enough to forward this email to all members of that group. Thank you, in advance.

Camille, yesterday you asked me “where do we go from here?” Before I answer that, I would like to bring some context to what I was saying yesterday.

Emphasis added. A copy of this email is attached hereto as **Exhibit A** (“**2/21/23 KL FW email**”).

18. In Lawson’s Verified Complaint against the University, Lassner, Bruno, Nelson and Mirkay in 24-cv-00172 filed 4/15/24 in D. Haw. further publicized his false statements about Nelson’s conduct at the 2/17/23 MTG in paragraphs 65-82. In paragraph 72, Lawson stated: “Professor Lawson explained that some of his family members had belonged to the Black Panther Party and how he also followed the teachings of Malcolm X who believed in protesting peacefully but using self-defense if attacked.” Lawson did state at the meeting that he is adherent of Malcolm X, drawing a distinction from Dr. Martin Luther King Jr., to make his threat that “ ” as he restated in his 2/18/23 KL Email. However, unlike Lawson, Malcolm X had empathy for Black women in America. Malcolm X once said: “

“The most disrespected person in America is the Black woman. The most unprotected person in America is the Black woman. The most neglected person in America is the Black woman.”—Malcolm X

<https://zora.medium.com/malcolm-x-stood-up-for-black-women-when-few-others-would-68e8b2ea2747>. Malcolm X was also of Caribbean descent as his mother was Grenadian.

19. Faculty members who were at the February 18 meeting found Lawson’s conduct at the faculty meeting unacceptable.

20. On February 21, 2023, Professors Linda Krieger, Kapua Sproat and Carole J. Petersen wrote to Nelson and Associate Dean Mirkay, and copied All Voting Members of the Law School Faculty:

We believe that the time has come to formally adopt Ground Rules for all meetings in our Law School. We have no desire to stifle academic freedom or vigorous debate, which are hallmarks of a university. However, we believe that Ground Rules are necessary to ensure respectful dialogue and a safe and non-hostile workplace.

We are drafting a set of proposed Ground Rules and welcome faculty input. The goal is to preserve space for respectful debate while also complying with the University's Policy on Workplace Non-Violence, which prohibits abusive and belligerent language (see <https://www.hawaii.edu/policy/?action=viewPolicy&policySection=Ep&policyChapter=9&policyNumber=210>). The proposed Ground Rules will also take into account the University's obligations under state and federal law, including Title VI, Title VII, and Title IX.

We respectfully request that this item be placed on the agenda for the next regular faculty meeting. We will endeavor to circulate a set of proposed Ground Rules in advance of the meeting so that colleagues can consider the content and offer amendments if desired. Ideally, we would be able to vote on the Ground Rules at the meeting.

We also invite other members of the faculty to endorse and join us in this effort.

Emphasis added.

21. On February 22, 2023, Professor Susan Serrano and Faculty Specialist Dina Shek who were members of the Diversity and Inclusion Committee wrote to Lawson in response to his 2/21/23 KL FW email attached as Exhibit A:

Aloha mai k kou,

Thank you to those who have reached out to inquire about the Black History Month book club "lunch and discussion." We thought it would be helpful to share what we have already shared with other faculty regarding the background and format of this event (see attached). We offer this additional information in the spirit of openness, and we hope it fosters better understanding and dialogue within our law school and greater community.

Dina Shek & Susan Serrano

Their attached memo dated February 21, 2023, which sets forth how the Black History Month book club "lunch and discussion" came about and addresses Lawson's concerns, is attached hereto as **Exhibit B**.

matters of importance to the Black community in Hawaii and were recognized for our role by the Hawaii Friends of Civil Rights and our Congressional delegation in 2009. Several of us are recipients of the Hawaii NAACP - Lifetime Achievement Awards for their contributions to justice and our community.

We agree the UH should utilize more African American Attorneys in the community, especially for mentorship in civil rights, lectures and other events. We are willing to this.

25. Lawson never apologized to Nelson. Instead, he filed the 5 Lawsuits between 8/21/23 to 1/10/25, all suing the University and Nelson, and all based in part on or referring to the 2/17/23 MTG, his 2/18/23 KL Email and/or his 2/21/23 Forward Email; thus perpetuating the false statements in his 2/18/23 KL Email including that at the 2/17/23 MTG that Nelson was “

.”

26. Through these planned events, Lawson intentionally and predictably caused Nelson prolonged chronic stress, which has progressed to allostatic overload resulting in illness the specifics of which will be disclosed in discovery under a Court-approved protective order. Thus, Lawson caused Nelson serious illness, pain and emotional distress that likely will have long-term adverse effects on Nelson’s health, well-being and future employment.

27. Special damages are those damages which can be calculated precisely or can be determined by you with reasonable certainty from the evidence. HI R CIV JURY Instr. 8.2.

28. General damages are those damages which fairly and adequately compensate plaintiff(s) for any past, present, and reasonably probabm004860056000300ETQq0.000009127004C0046005Bg

30. Emotional distress includes mental worry, anxiety, anguish, suffering, and grief, where they are shown to exist. HI R CIV JURY Instr. 8.5.

31.

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Attorneys for Defendant
CAMILLE NELSON,
in her individual capacity

DATED: Honolulu, Hawaii, January 31, 2025.

/s/ _____
WILLIAM MEHEULA

Attorney for Defendant
CAMILLE NELSON

; Case No. 1CCV-25-0000036 (JJK);

CERTIFICATE OF SERVICE