

SUPREME COURT OF THE STATE OF HAWAI‘I

Graham v. Collins

Graham v. Collins · No. SCPW-XX-XXXXXXX · Decided April 16, 2026

SUMMARY

The Supreme Court of the State of Hawai‘i denied a petition for a writ of mandamus challenging an order disqualifying counsel in a district court proceeding. The court held that the former representation was substantially related to the litigation and that the former and present clients’ interests were materially adverse, and it found no flagrant and manifest abuse of discretion.

CASE DETAILS

COURT	Supreme Court of the State of Hawai‘i
WRITING FOR THE COURT	Sabrina S. McKenna, Acting Chief Justice; Todd W. Eddins, Justice; Lisa M. Ginoza, Justice; Vladimir P. Devens, Justice; Karin L. Holma, Circuit Judge assigned by reason of vacancy
JURISDICTION	Supreme Court of the State of Hawai‘i
DECIDED	April 16, 2026
DOCKET	SCPW-XX-XXXXXXX
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding seeking a writ of mandamus to challenge the district court's order granting a motion to disqualify counsel.
STANDARD OF REVIEW	Mandamus relief was unavailable because the district court's order did not constitute a flagrant and manifest abuse of discretion.
PRECEDENTIAL VALUE	Published
PARTIES	Nathaniel Graham, Joel Kreiss, Hawaii’s Electric Bike, LLC dba Ridesmart Maui v. The Honorable Lance Collins, Judge of the District Court of the Second Circuit, State of Hawai‘i, Ridesmart Maui LLC, Lee A. Chamberlain

TOPICS

- appellate procedure
- standard of review
- civil procedure
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court's order disqualifying counsel constituted a flagrant and manifest abuse of discretion warranting a writ of mandamus.
2. Whether counsel's former representation was substantially related to the current litigation and whether the former and present clients' interests were materially adverse under Hawai'i Rules of Professional Conduct Rule 1.9(a).

HOLDINGS

1. The district court's order granting the motion to disqualify counsel did not amount to a flagrant and manifest abuse of discretion; therefore, mandamus relief was denied.

KEY QUOTATIONS

"The district court's order granting the motion to disqualify counsel does not amount to a flagrant and manifest abuse of discretion."

FACTUAL BACKGROUND

Counsel formerly represented Respondent Ridesmart Maui LLC in litigation substantially related to the current litigation. Counsel's former and present clients had materially adverse interests in the underlying case. Based on those circumstances, the district court granted a motion to disqualify counsel.

PROCEDURAL HISTORY

Petitioners filed a petition for writ of mandamus on August 19, 2025, arising from litigation in the District Court of the Second Circuit. The district court granted a motion to disqualify counsel. The Hawai'i Supreme Court denied mandamus relief, concluding that the disqualification order was not a flagrant and manifest abuse of discretion.

DISPOSITION

writ_denied

CASES CITED

- Straub Clinic & Hosp. v. Kochi, 81 Hawai'i 410, 414-17, 917 P.2d 1284, 1288-91 (1996)

OPINION

Graham v. Collins

PER CURIAM.

Electronically Filed Supreme Court

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SCPW-XX-XXXXXXX

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NATHANIEL GRAHAM; JOEL KREISS; and HAWAII'S ELECTRIC BIKE, LLC
dba RIDESMART MAUI, Petitioners, vs.

THE HONORABLE LANCE COLLINS,

Judge of the District Court of the Second Circuit, State of Hawai'i, Respondent Judge, and
RIDESMART MAUI LLC; LEE A. CHAMBERLAIN, Respondents.

ORIGINAL PROCEEDING

(CASE NO. 2DRC-XX-XXXXXXX)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ., and Circuit Judge Holma, assigned by reason of vacancy) Upon consideration of the petition for writ of mandamus filed August 19, 2025, and the record, counsel's former representation of Respondent Ridesmart Maui LLC is substantially related to the litigation in 2DRC-XX-XXXXXXX. See Hawai'i Rules of Professional Conduct (HRPC) Rule 1.9(a); *Straub Clinic & Hosp. v. Kochi*, 81 Hawai'i 410, 414-17, 917 P.2d 1284, 1288-91

(1996). Additionally, the interests of counsel's former and present clients are materially adverse to each other in 2DRC-24- 0001244. See HRPC Rule 1.9(a); *Straub*, 81 Hawai'i at 417, 917 P.2d at 1291. The district court's order granting the motion to disqualify counsel does not amount to a flagrant and manifest abuse of discretion. See *Straub*, 81 Hawai'i at 414-15, 917 P.2d at 1288-89. It is ordered that the petition is denied. DATED: Honolulu, Hawai i, April 16, 2026. /s/ Sabrina S. McKenna /s/ Todd W. Eddins /s/ Lisa M. Ginoza /s/ Vladimir P. Devens /s/ Karin L. Holma 2