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October 30, 2024

John M. Nolan
Chair, Member Selection Committee
c/o American College of Real Estate Lawyers
220 N Market Street, Suite 100
Frederick, MD 21701

Re: Nomination of Terri Ann M.K. Motosue

Dear Mr. Nolan:

It is with great pleasure that I nominate of Terri Ann Motosue for membership in the American College of Real Estate Lawyers (ACREL or the College).

Introduction

I have been practicing real estate law in the State of Hawaii since 1991 and I have been a member of the College since 2017. Hawaii is a small state in size and population. However real estate is of paramount importance in Hawaii's economy and we regularly see transactions and developments with complexity and dollar values that far exceed what is found on many other small states. Often those transactions and developments involve U.S. mainland and international investors, developers, operators and lenders represented by top U.S. law firms. There are a limited number of Hawaii lawyers who handle those complex and high-dollar transactions and I have extensive knowledge of and experience working with almost all of them.

I have known Terri Ann Motosue for approximately 25 years. We first met in 1996 when she was still in law school at Boston University and I was recruiting for a major Honolulu-based law firm. She stood out then as a future star. She did not immediately start practicing in Hawaii after law school, instead spending six years practicing in New York at the White & Case and King & Spalding law firms. She has been licensed since 1999 in New York and Washington D.C. and since 2004 in Hawaii.

Terri's Hawaii practice began in 2004 when she joined one of Hawaii's largest firms, working in their real estate practice and eventually rising to become managing partner. Subsequently she has worked at two smaller firms with highly regarded real estate and renewable energy practices. Terri continues to this day to have an active and sophisticated real estate practice representing a wide range of clients.

Over these years I have worked and interacted with Terri many times as our careers and practices have intersected. I estimate I have worked opposite Terri on deals or developments at

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least 10-12 times over the past 20 years. Based on my long and extensive history with Terri I can confidently nominate her to the College as detailed below.

Terri Ann Motosue Amply Meets the Criteria for Admission to ACREL

Terri is a Distinguished Real Estate Practitioner

Terri has a strong reputation in the Hawaii real estate bar as one of the small number of practitioners here who can capably handle the most complex real estate and finance transactions. In my personal experience over the course of several complex commercial deals through the years Terri is experienced and very knowledgeable about the legal and technical aspects of complex real estate transactions, and also has the excellent judgment and practicality that are essential to getting deals done and excelling in a transactional practice. For those reasons I regularly refer complex transactional work to Terri without hesitation or qualification.

Terri has also developed a particular expertise in and reputation for representing renewable energy developers in the development of large, utility-scale renewable energy projects. This is a tremendously important practice area in Hawaii as the state has been one of the most aggressive in converting to renewable sources of energy. And this is the area in which I have most often worked with Terri, representing large landowners in deals where Terri represents the renewable developers in obtaining site control (long term ground leases, etc.) and developing their projects. She is widely recognized in the Hawaii bar as one of the most outstanding lawyers in this area. I hesitate to make comparisons, but she is certainly one of the top three practitioners in the state in this area.

Terri Contributes Significantly to a More Informed Bar & Public.

Terri is naturally an engaged and outgoing leader with a long history of contributing to the bar, the practice of real estate law and the community generally. Like all other current Hawaii ACREL Fellows, Terri has served as a director and Chair of the State Bar Association's Real Property and Financial Services Section. This is a very active specialty section of the Hawaii Bar that works principally to educate real estate practitioners and the Hawaii bar generally. Terri chaired the Section in 2022 which was a particularly challenging year as we all dealt with the impacts of the pandemic yet Terri put together the most ambitious and informative series of CLEs and monthly webinars that I can recall in my 30 years of Section membership, handling everything from curating the topics, selecting local and mainland-based speakers, editing the program materials and moderating the events. Importantly Terri's emphasized content that provided a valuable mix of national topics that Hawaii practitioners might not otherwise get exposure to (e.g. derivative swaps, and the impacts of climate risks on the U.S. financial system) and programs on the latest developments in Hawaii statutory and case law concerning the real estate and financial services area generally.

Terri's contributions to the practice, bar and community are apparent in many other areas

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as well. For example, she has actively worked to change and improve laws at both state and county levels that impact real estate, such as laws impacting real estate taxation and renewable energy development. She is widely recognized as being an effective advocate in this area. She is also Fellow of the American College of Mortgage Attorneys and for 2024 is serving as ACMA's Hawaii State Provincial Chair.

Finally, while it may not be *directly* related to the real estate practice, I want to emphasize that Terri has been a long-time leader and advocate for women in the legal field and the community generally. She started early in this work, writing her undergraduate senior honor's thesis on sex discrimination in the legal profession and founding a domestic violence prevention program at the University of Hawaii before she attended law school. Over the years since Terri's work in this area has continued steadily. Particularly noteworthy recent examples include Terri's service from 2019 to 2023 as an appointee of the Hawaii Governor on the State Commission on the Status of Women and Terri's 2022 role co-chairing the inaugural "State of Women in Hawaii" conference which assembled an impressive array of national and local speakers on a wide range of legal and social issues affecting women. As someone who firmly believes that ACREL would be well-served by increasing its ranks of preeminent practitioners who are women, I think Terri's long history of advocacy for women bears particular consideration.

In sum, I think it is apparent that Terri amply meets the "Giveback" criteria for admission to ACREL and, perhaps more importantly, is clearly someone who can be expected to be actively involved and potentially take a leadership role in the College.

Integrity and Civility

Terri embodies the standards of professional integrity and civility and the commitment to clients, the profession and the community that are set forth in the College's Statement of Professionalism. In my many years knowing and working with Terri I have always found that she is impeccably honest, trustworthy, candid and practical. And while she always represents her client with appropriate zeal, Terri is invariably friendly and easy to work with. It's always a pleasure to work with Terri. %

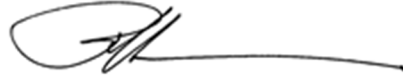
Certification

I certify that as set forth in detail above Terri Ann Motosue satisfies the criteria for selection to the College as set forth in Section 4 of the Guidelines for Regular Member Selection. In my opinion and to my knowledge, Ms. Motosue meets the standards set forth in ACREL's Statement of Professionalism and exemplifies the standards of professional integrity and civility as provided in the Guidelines. I further certify that I am not (a) in the same firm, business entity, faculty or other organization as Ms. Motosue, (b) related by birth or marriage to Ms. Motosue, or (c) a current Governor or member of the Member Selection Committee of the College. Neither Ms. Motosue nor the firm at which she practices employs or retains me or my law firm, and I have no business or financial relationship with Ms. Motosue.

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Thank you for your consideration, and please do not hesitate to contact me if I can provide any further information in support of this nomination.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Richard Kiefer', with a long horizontal flourish extending to the right.

Richard Kiefer
ACREL Fellow