



Calvert G. Chipchase

PARTNER

As a recognized expert in litigation and land use, Cal's approach balances practical considerations and zealous advocacy.

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Overview

As a recognized expert in litigation and land use, Cal's approach balances practical considerations and zealous advocacy.

Cal is the Chair of the Real Estate Disputes Group and advises clients in real estate and land use controversies, challenges to land use approvals and environmental review, and disputes with governmental agencies.

Cal advises clients in land and project due diligence, permitting, agency proceedings, and land use violations.

As part of his counseling and dispute resolution practice, Cal also advises clients regarding non-compete agreements, confidentiality agreements, trade secrets, construction disputes, insurance coverage matters, and other matters.

A second-generation Hawai'i lawyer, Cal Chipchase earned his law degree from the University of Hawai'i, William S. Richardson School of Law. Before joining Cadés Schutte, Cal clerked for the Honorable Richard R. Clifton, United States Court of Appeals for the Ninth Circuit, and the Honorable Alan C. Kay, United States District Court for the District of Hawai'i.

For nearly 20 years, Cal has taught real property, land use, and legal writing courses at the Richardson School of Law. Cal also regularly moderates and participates on panels at seminars and continuing education courses for landowners, planners, realtors, and lawyers.

Noteworthy

Experience

Commercial and Real Estate Litigation

- Litigation in state and federal courts, arbitration, and mediation involving complex business and real estate issues; commercial and agricultural leases; easements; prescription and adverse possession; contract, tort, and fiduciary duty claims; trade secrets and intellectual

Practices & Industries

Agriculture & Food Distribution

Construction

Corporate & Business

- Government Contracts

Employment Law & Labor Relations

Energy

Environmental

Hospitality & Retail

Insurance Coverage & Defense

Intellectual Property

Land Use, Zoning & Entitlements

- Historic Preservation & Native Hawaiian Rights
- Land Use Violations & Disputes

Litigation

- Alternative Dispute Resolution
- Commercial Disputes
- Contested Case & Administrative Proceedings

Real Estate

- Real Estate Disputes

Water Resources

property; agency and partnership disputes; antitrust and trade practices; shareholder direct and derivative claims; and financing and development disputes

- Insurance coverage and bad faith litigation, arbitration, and mediation for insureds in state and federal courts involving title, commercial general liability, and directors and officers insurance
- Administrative proceedings, appeals, and litigation concerning procurement and other government contracting, audit, and administrative enforcement actions

Land Use, Zoning, and Entitlements

- Land use entitlements and permitting; Important Agricultural Land designations; District Boundary amendments; affordable and workforce housing projects; rezoning; environmental assessments and impact statements; due diligence review; native Hawaiian rights and traditional uses; archaeological, cultural, and historical preservation and Island Burial Council matters; water rights, permitting, and disputes; and land use violations
- Contested cases and other proceedings before state and county councils, boards, and commissions
- Administrative appeals and litigation involving permits, environmental review, statutory and constitutional issues, vested rights, and other land use and entitlement matters

Employment and Labor Relations

- Litigation in state and federal courts, arbitration, and mediation involving non-compete, non-disclosure, and non-solicitation agreements; trade secrets; and tort and wrongful termination claims
- Internal investigations for public and private institutions

Awards

- *Best Lawyers*® Lawyer of the Year, Eminent Domain and Condemnation Law; Land Use and Zoning Law, Honolulu, 2023
- American College of Real Estate Lawyers Class of 2020
- Federal Bar Association, National General Counsel, 2020
- Listed in *Chambers & Partners*, USA Guide, for General Commercial Litigation, since 2014, and Real Estate: Zoning/Land Use, since 2017
- Listed in *Best Lawyers*® for Litigation – Real Estate, Eminent Domain and Condemnation Law, and Land Use and Zoning Law, since 2014
- *Best Lawyers*® Lawyer of the Year, Eminent Domain, Honolulu, 2020
- *Best Lawyers*® Lawyer of the Year, Litigation – Real Estate, Honolulu, 2018
- *Super Lawyers*® Top Rated Real Estate Lawyer, since 2015 and Recognized in Land Use & Zoning, Business Litigation, and Appellate
- *Martindale-Hubbell Distinguished*® Peer Review Rated, since 2008
- *Lawyer Delegate*, U.S. District Court, District of Hawai'i, 2016 – 2019
- Pacific Century Fellows Class of 2016
- Litigation Counsel of America Class of 2016
- Ten Years of Service Award, University of Hawai'i, William S. Richardson School of Law, 2014
- *Pacific Business News* "Forty Under 40" Class of 2013
- Lambda Alpha International Class of 2013

- Outstanding Adjunct Professor, University of Hawai'i, William S. Richardson School of Law, 2007

Community Involvement

- American Judicature Society, Director
- Chaminade University Educational Foundation, President
- La Pietra Hawai'i School for Girls, Trustee
- HUGS – Help Understanding and Group Support, Former President

Credentials

Education

- J.D. (2002), University of Hawai'i, William S. Richardson School of Law, *summa cum laude*, Class Valedictorian and Law Review Editorial Board
- B.A., Colorado State University (1999), Phi Beta Kappa, *cum laude*

Admissions

- All courts of the State of Hawai'i
- United States District Court for the District of Hawai'i
- United States Court of Appeals for the Ninth Circuit

Membership

- American College of Real Estate Lawyers
- American Planning Association
- Hawai'i Planning Association
- Lamda Alpha International – Honorary Society for Land Economics
- Urban Land Institute
- Litigation Counsel of America – Honorary Society for Trial Lawyers
- Federal Bar Association
- Foundation of the Federal Bar Association
- American Bar Association
- American Bar Association Foundation
- Hawai'i State Bar Association

Clerkship

- The Honorable Richard R. Clifton, United States Court of Appeals for the Ninth Circuit (2004-2005)
- The Honorable Alan C. Kay, United States District Court for the District of Hawai'i (2003-2004)

Publications

- “Maui’s Shifting Shoreline and SMA Rules,” *Cades Schutte ke kumu* (Spring/Summer 2024) (Co-Author)
- “Changes to Honolulu’s Coastal Zone Management,” *Cades Schutte ke kumu* (Spring/Summer 2023) (Co-Author)
- “Hawai’i Has a Housing Problem,” *Cades Schutte ke kumu* (August 2017) (Co-Author)
- “Federal Appellate Practice Manual,” Hawaii State Bar Association (2013) (Contributing Author)
- “Hawai’i Appellate Practice Manual,” Hawaii State Bar Association (2012) (Contributing Author)
- “Eminent Domain: A Handbook of Condemnation Law,” *American Bar Association Deskbook* (2011) (Co-Author)
- “Except for a Public Use: A Survey of Takings Jurisprudence,” *Takings Deskbook*, ABA Publishing (2011) (Co-Author)
- “Federal District Court Law Clerk Handbook,” *ABA Publishing* (2007) (Author)
- “Water Regulation, Land Use & the Environment,” *30 Haw. L. Rev.* 49 (2007) (Co-Author)
- “Wet Growth: Should Water Law Control Land Use,” *Environmental Law Institute* (2005) (Co-Author)
- “From Grand Central to the Sierras: What Do We Do With Investment-Backed Expectations in Regulatory Takings,” *23 Va. Env’tl L.J.* 43 (2004) (Author)
- “The Clean Water Act: What’s Commerce Got to Do with It?,” *33 Env’tl L. Reporter* 10775 (2003) (Author)
- “Lucas Takings: Why Investment-Backed Expectations Are Irrelevant When Applying the Categorical Rule,” *24 Haw. L. Rev.* 147 (2001) (Author)

In addition to the listed articles, Cal has published in a variety of local and national business and academic journals. Copies of Cal’s publications are available upon request.

Speaking Engagements

- “Hawai’i’s Shoreline, Legal & Regulatory Issues, Sea Level Rise and Adaption Conference,” The Seminar Group (2019, 2022, and 2024) (Co-Chair and Speaker)
- “Land Use Law Update,” Hawai’i Congress of Planning Officials (2011, 2016, 2019–21)
- “Eminent Domain and Regulatory Takings Panel,” Bi-Annual Hawai’i Land Use Law Conference (2017, 2019 and 2021) (Panelist)
- “Zoning Law and Variances Panel,” Bi-Annual Hawai’i Land Use Law Conference (2015) (Moderator)
- “Regulatory Takings after *Knick*,” Hawai’i State Bar Association Bar Convention & Annual Meeting (October 16, 2020) (Panelist)
- “Sea Level Rise – S.L.R.: Hawaii’s Long Term Real Estate Reality,” NAIOP Hawai’i and ULI Hawai’i (August 20, 2020) (Moderator)

A complete list of Cal’s speaking engagements is available upon request.