



## Lindsay N. McAneeley

### PARTNER

Lindsay is a partner in the firm's Honolulu office and is a member of the Litigation Department and Environmental Law Practice Group.

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## Overview

Lindsay is a partner in the firm's Honolulu office and is a member of the Litigation Department and Environmental Law Practice Group.

Lindsay represents landowners, developers, major and small businesses, nonprofits, educational and financial institutions, government entities, and individuals across a wide array of legal matters. She represents clients in all aspects of litigation, including administrative hearings, mediation, arbitration, trial, and appeals, with particular experience in complex commercial and real property disputes, state and federal employment related claims, as well intellectual property rights, and tort and products liability claims. She also routinely counsels clients regarding legal and contractual requirements and assists in the development of strategies for compliance, risk mitigation, and dispute avoidance.

Lindsay also has extensive experience with environmental laws and proceedings, including providing advice regarding regulatory compliance, and representing clients in enforcement actions, contested case hearings, administrative appeals, and high-stakes state and federal lawsuits.

Lindsay graduated *summa cum laude* from the University of Hawai'i, William S. Richardson School of Law and obtained her B.S. in Biology, with a minor in Psychology, with honors from the University of British Columbia in Vancouver, Canada.

Prior to Cades Schutte, Lindsay was a partner and co-chair of the Environmental Practice Group at another major law firm in Hawai'i. She also served as a Judicial Extern to the Honorable David A. Ezra of the U.S. District Court for District of Hawai'i, and a research assistant to University of Hawai'i Law Professor Denise Antolini. Lindsay has been recognized by *Super Lawyers*® in its Rising Stars list for the practice areas of Civil Litigation: Defense, Environmental, Employment; and Litigation: Defense, Appellate, and Administrative Law.

## Practices & Industries

**Agriculture & Food Distribution**

**Bankruptcy & Creditors' Rights**

**Banks & Financial Institutions**

**Construction**

**Corporate & Business**

– Business Organizations

**Employment Law & Labor Relations**

**Energy**

**Environmental**

**First Amendment, Advertising, Media & Entertainment**

**Hospitality & Retail**

**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**

## Noteworthy

## Experience

### Contracts and Commercial Disputes

- Obtained judgment for defendant after federal bench trial related to breach of contract claim involving alleged damages in excess of five million dollars
- Obtained directed verdict for defendant client after week long bench trial related to contract interpretation dispute, involving alleged damages in excess of one million dollars
- Represented commercial shipping line in successful arbitration of complex contract interpretation case resulting in multimillion dollar award for client
- Prevailed on multiple dispositive motions on behalf of one of Hawai'i's largest landowners in contractual dispute regarding lessee's obligations to investigate and remediate environmental contamination
- Prosecuted a multimillion dollar dispute involving fraud, embezzlement, breach of contract, and breach of fiduciary duties regarding construction and remodeling of luxury property

### Environmental, Land Use, and Historic Preservation

- Represent parties, including lenders and purchasers, in connection with the evaluation of environmental liability risks of proposed transactions, risk allocation, and risk mitigation
- Represent landowners and developers in connection with changes in community plans, county codes, and land use laws, including issues related to constitutional property rights, sea level rise, and shoreline erosion
- Successfully represented educational institution in connection with complying with environmental requirements for a large scale project and obtaining a conservation district use permit, through a multi-week contested case hearing and appeal to the Hawai'i Supreme Court
- Successfully represented client in its administrative appeal of the State of Hawai'i Department of Health's denial of requests for a contested case hearing related to third party's alleged violations of environmental laws
- Represented project developer in connection with obtaining agency approvals confirming compliance with Hawai'i's historic preservation laws and environmental policy act.
- Represented governmental entity in state and federal litigation, resulting in the successful defense of environmental challenges to multi-billion dollar infrastructure project
- Advised high-profile nonprofit corporation regarding environmental compliance issues associated with restoration and dry-docking activities for historic US Battleship
- Defended and successfully resolved notice of violation and order issued by Department of Health against large oil company client
- Assisted client in connection with assessment of environmental contamination and efforts to remediate conditions necessary to meet approved environmental action levels

### Employment Law

- Regularly represent corporate clients in connection with the defense of employment related matters, including claims for wrongful termination, hostile work environment, and discrimination under state and federal laws
- Successfully defended national construction company in wrongful termination action and suit alleging failures to warn and breach of duty for employee of subcontractor
- Successfully represented client in preliminary injunction proceeding related to enforcement of non-compete agreement and claims for unfair competition and violations of Uniform Trade Secrets Act

## Intellectual Property

- Represented rightsholder of iconic toy property in multi-week arbitration, including protracted arbitration hearing and related litigation involving complex licensing and intellectual property issues
- Represent clients in connection with the enforcement of protected copyrights and trademarks

## Products Liability/Toxic Tort

- Obtained summary judgment on behalf of governmental property owner and private managerial employees in multi-case toxic tort litigation involving Honolulu International Airport facility, and defended rulings through appeal to the Hawai'i Supreme Court

## Awards

- Listed in *Best Lawyers*®, since 2023
- Listed in *Super Lawyers*®, since 2021- Civil Litigation: Defense, Environmental, Employment Litigation: Defense, Administrative Law, Appellate
- Listed in *Super Lawyers*® Rising Stars, 2016, 2017
- Attorney Delegate, United States District Court, District of Hawai'i, 2010-2013
- HSBA Leadership Institute Fellow, 2010
- Public Health Law Organization Annual Writing Competition Award, 2006
- Hardy C. Dillard Award, 2nd Place Memorial, Jessup International Law Moot Court Competition, 2006

## Credentials

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### Education

- J.D. (2007), William S. Richardson School of Law, University of Hawai'i, *summa cum laude*
- B.S. Biology, minor in Psychology (2001), University of British Columbia, *with honors*

### Admissions

- Hawai'i State Courts
- United States District Court, District of Hawai'i
- United States Court of Appeals, 9th Circuit
- Supreme Court of the United States

### Membership

- American Bar Association
- Hawaii State Bar Association
- Hawaii Women's Lawyers
- Federal Bar Association

## Publications

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- “Do Commercial Building Owners Have Duties to Investigate and Disclose Asbestos?” *Building Management Hawaii* (March 2021), *ke kumu* (Spring/Summer 2021) (Co-Author with Patricia J. McHenry, Esq.)
- “Physician Assisted Suicide: Expanding the Laboratory to the State of Hawai‘i,” 29 *U.HAW.L.REV.* 269 (Winter, 2006)

## Speaking Engagements

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- “Employment Law Update,” Hawaii Employers Council seminar (August 2021) (panelist with Paul M. Saito, Esq. and John P. Duchemin, Esq.)
- “Negotiating: A Discovery Process, Not a Battle,” Hawaii Business Magazine Leadership Conference (July 2020) (Panelist)
- “The Anatomy of Recent Employment Lawsuits & How the Courts’ Decisions May Impact Hawai‘i Employers” (June 2020)
- “Introduction to State and Federal Historic Preservation Laws: Hawai‘i Revised Statutes, Chapter 6E, National Historic Preservation Act, Section 106,” MCLE Seminar (October 2015)
- “A New Approach to End of Life Choice: Reports from Hawai‘i, Montana & Beyond,” International Conference on Law & Society (June 2012)