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2024 Kick-Off!

Atlas' kick-off event was a blast and we ate some good food, talked about our new 2024 initiatives, company updates and forecast, and had our special speaker, Ian Kitajima talking about the future of AI. Some employees were recognized their milestones and years of service!

5 Years—Joey Barroso, Kristen Chong, and Shane Choi

10 Years—Aleksandr Razloga, Allison Horimoto, Fe Valinton, Jordan Robinson, and Tyler Hodson

15 Years—Della Nakamoto, Elaine Panlilio, Keane Muranaka, and Sharilyn Tanaka

20 Years—Becki Rodgers, Pixie Flores, and Sharon Hodson

25 Years—Hayli Kulukulualani

Congratulations to all!



CORE VALUES

**Pono
Lokahi
Alaka'i
Ho'okele
Kakou
Imi'ike**

Email Article Submissions to:
kribilla@atlasinsurance.com

2024 Kick-Off Cont.



2024 Kick-Off Cont.



Happy Valentine's!

Atlas Insurance Agency's Valentine's Day Celebration was a hit! We treated our employees to shave ice and mochi crunch from Baldwin's Sweet Shop, making it a 'sweet' Valentine's Day to remember. A big thank you to our OAC (Office Activities Committee) for always hosting these fun events!



Happy Valentine's!, Cont.



Kung Hei Fat Choi!

Happy Lunar New Year from the Atlas Ohana! Atlas was happy to bring back the Chinese Lion Dancing to our office and brought blessings and luck along with the loud amazing drums representing the pace and heartbeat of the lion! Atlas wishes everyone a prosperous future this year of the Wooden dragon!



Atlas Rise & Grind Treat—Jin Dui!

Wrapping up Chinese New Year, our Atlas Rise & Grind Café snack of the month featured jin dui! We all got to enjoy one coconut and one Black Sugar bean jin dui from Lee's Bakery and that was so yummy!



Client First Program

Customer Satisfaction

Atlas recently began working with Market Trends Pacific to survey clients on our performance. We started to gather our positive comments and would like to begin sharing it with the company. Here is what our clients are saying about us!

“Quick response to questions and issue. Everyone I have dealt with is kind and respectful. My agent, Justin S. is great!” *Jeffrey Scott & William Owen O.*



PL Referrals!

Our Personal Lines Referral Program is still active! Please continue to refer your friends and family (all islands) for a personalized **Insurance Analysis**. Staff receives **\$25** per referral and then **\$25** for every referral bound.

If you would like to participate in this program, please contact Irene Zilisch, at (808) 533-8704 or izilisch@atlasinsurance.com. Here are the staff that helped with the program for the month of February 2024!



Top L to R: Della Nakamoto, 4 referrals, 3 bound; Liana Reff, 3 referrals; Sharon Hodson, 1 referral, 1 bound; Bottom L to R: Jessica Pippin, 1 referral, Sharilyn Tanaka, 1 referral, 1 bound

Celebrating 15 Years of Excellence: Atlas Olelo Hui Toastmasters Open House Recap

By: Ken Fujiwara

On February 23rd, the Atlas Olelo Hui Toastmasters club marked a significant milestone, celebrating its 15th anniversary. This memorable occasion was commemorated with a special "Open House" meeting, attended by club members, guests, and distinguished speakers. The event not only celebrated the club's history and achievements but also showcased the vibrant community that has grown around Atlas Olelo Hui over the years.

A Journey Through Time with Vince Miyoi

The meeting started with a keynote address by Vince Miyoi, the founder of Atlas Olelo Hui. Vince took the audience on a nostalgic journey back to the club's inception, sharing anecdotes and insights from the early days. His speech illuminated the purpose and value of the club and its evolution into the flourishing group it is today. Vince's passion and dedication to the club was palpable, serving as an inspiration to both longstanding and new members.



Honoring a Pillar of the Club: Sharilyn Tanaka

In a heartwarming segment of the meeting, the club paid tribute to Sharilyn Tanaka, a charter member whose commitment to Atlas Olelo Hui has been unwavering since its foundation. Sharilyn's contributions over the years have been instrumental in shaping the club's culture and success. Recognizing her as a cornerstone of the club underscored the importance of dedication and passion in nurturing a vibrant and supportive environment.

A Glimpse into "Amish Paradise" with Christen Tominaga

True to the spirit of Toastmasters, the event included a shortened version of a typical meeting, allowing guests to experience the educational and supportive atmosphere that defines Atlas Olelo Hui. The highlight was a compelling speech by Christen Tominaga, titled "Amish Paradise." Christen captivated the audience with tales of her unique upbringing in Lancaster County, home to a significant Amish community. Her speech was not only a personal narrative but an enlightening

Celebrating 15 Years of Excellence: Atlas Olelo Hui Toastmasters Open House Recap, Cont.

By: Ken Fujiwara

Through her experiences, attendees were offered a rare glimpse into a way of life that thrives on simplicity and tradition, contrasting sharply with our fast-paced modern world.

Looking Forward

The 15th-anniversary "Open House" of Atlas Olelo Hui was more than a celebration; it was a reaffirmation of the club's commitment to in communication and leadership. As we look to the future, the legacy of founders like Vince Miyoi and dedicated members like Sharilyn Tanaka inspires us to continue fostering a welcoming and enriching environment that teaches not just public speaking skills but planning, leadership and other skills important for career success. With the addition of engaging and diverse perspectives like Christen Tominaga's, Atlas Olelo Hui is poised for many more years of growth, learning, and success.

Here's to the next 15 years and beyond—may we continue to inspire and be inspired, to speak and to lead, to listen and to learn. Atlas Olelo Hui Toastmasters Club remains a beacon for those seeking to develop their voices, and we welcome all who wish to join us on this journey of continuous improvement and community building.



Special thanks to Club Officers who were involved with the planning including Club President: Debra Chong, VP of Education: Jana Mukogawa, VP of Membership: Paul Fogata, VP of Public Relations: Ken Fujiwara, Treasurer: Zhi Hao Liu, Secretary: Katherine Shofran, and Sergeant at Arms: Cale Guillermo.

Risky Business Corner



Hawaii Supreme Court Rules In Favor Of Workers' Compensation Subrogation

By: Adrene Thompson from MWL Subrogation Law Firm

Moranz v. Harbor Mall, LLC, 502 P.3d 488 (Haw. 2022)

Moranz was a restaurant employee who, while employed by Kiewit Pacific Company, slipped and fell at Harbor Mall in Lihue, Kaua'i. She filed for and received \$63,245.41 in medical, indemnity, and vocational rehabilitation benefits from DTRIC Insurance Company, the workers' compensation carrier for Kiewit. Moranz also stipulated to a settlement of her future benefits in the amount of \$125,816.72 for a total of \$189,062.12 in benefits. Moranz then filed suit and settled with the mall for \$200,000. Moranz's lawyers labeled the settlement as "general damages" (damages such as pain and suffering, loss of consortium and emotional trauma, etc.). Because the settlement contained no special damages, she argued that DTRIC did not have a lien on her recovery.

The trial court ruled against Moranz. On December 15, 2020, the Court of Appeals also sided with DTRIC, ruling that the statutory language of § 386-8 unambiguously gives a workers' compensation carrier first priority reimbursement, no matter how the recovered damages are classified. In dismissing Moranz' argument that DTRIC's lien could not attach to her "general damages only" settlement, the Court of appeals said: HRS § 368-8 does not specify any limitations as to what is subject to the workers' compensation lien, does not distinguish between general or special damages in the recovery from a third-party, and does not provide that consideration be made whether parts of the recovery from a third-party is duplicative of workers' compensation benefits that were paid. Instead, the language of HRS § 368-8 is unequivocal in terms of the amount of a third-party settlement that is subject to the right of reimbursement for workers' compensation payments.

The Court of Appeals went on to calculate DTRIC's share of costs and fees. Applying the well-settled Alvarado formula, the court calculated that DTRIC was responsible for \$89,140.17 in costs and fees and thereby affirmed its lien reimbursement in the amount of \$99,921.96.

Moranz appealed to the Hawaii Supreme Court and on January 11, 2022, the Hawai'i Supreme Court decided in favor of DTRIC. It held that:

- Common law defenses to subrogation such as the Made Whole Doctrine do not apply to DTRIC's statutory rights of subrogation and reimbursement; and

Risky Business Corner

Hawaii Supreme Court Rules In Favor Of Workers' Compensation Subrogation, Cont.



- DTRIC's lien extended to both special and general damages; and
- DTRIC was required to pay its full pro rata share of the attorney's fees and costs Moranz incurred while pursuing her recovery based on the carrier's total workers' compensation liability, regardless of the amount carrier contributed in paid compensation versus calculable future benefits.

The Supreme Court calculated DTRIC's share of costs and fees under Alvarado. The Court held that DTRIC's full "share" of Moranz's attorney's fees and costs (\$89,140.17) was based on its total workers' compensation liability of \$189,062.13 (\$63,245.41 in "paid compensation" plus \$125,816.72 in "future calculable benefits"). Under § 386-8(d), DTRIC was entitled to reimbursement of the \$63,245.41 it had made in "paid compensation." It is also relieved from the obligation to make further compensation payments to Moranz "up to the entire amount of the balance of the settlement or the judgment," meaning that Moranz must exhaust \$125,816.72 in "calculable future benefits" from the remainder of the Harbor Mall settlement. After paying her attorney's fees and costs (\$94,298.29), reimbursing DTRIC its "paid compensation" (\$63,245.41), and exhausting "calculable future benefits" (\$125,816.72) from the \$200,000 Harbor Mall settlement, Moranz retained the remainder: \$5,779.75 in excess of her benefits. Moranz had argued that because of the large amount of "future calculable benefits" owing, DTRIC's share of costs and fees reduced its lien reimbursement to -\$25,894.76—a negative number.

The Moranz decision is a win for subrogation and a stark reminder why we have a workers' compensation system and the "Great Tradeoff" we engaged in which requires employers to insure themselves for injuries they often play no role in causing in exchange for exclusive remedy immunity and a right of recovery. These recoveries, in turn, help hold down employers' experience modification factors and their future workers' compensation premiums for years to come.

Article by MWL Subrogation Law Firm

Full article can be found at: <https://www.mwl-law.com/hawaii-court-rules-in-favor-of-workers-compensation-subrogation/>

Atlas Gives Back!



F O U N D A T I O N

The Atlas Insurance Agency Foundation continuously gives back throughout the year with corporate sponsorships or straight donations to organizations/ non-profits. Please don't forget that Tradewind Group will match your personal donation to a 501C3 \$1.00 for \$1.00, up to \$500 per employee. Contact Dana Tokioka at dtokioka@atlasinsurance.com for more details.

\$10,000



\$5,000



\$5,000



\$5,000

