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October 19, 2011

Dr. Orly Taitz, Esq.  
29839 Santa Margarita Pkwy, Ste. 100  
Rancho Santa Margarita, CA 92688

Via U.S. Mail and Fax: (949) 766-7603

Re: Dr. Orly Taitz, Esq. vs. Loretta Fuddy, et al.; Civil No. 11-1-1731-08 RAN  
Circuit Court of the First Circuit, State of Hawaii

Dear Dr. Taitz:

Pursuant to Rule 23 of the Rules of the Circuit Courts of the State of Hawaii, I have prepared the Order Granting Defendants' Motion to Dismiss Petition for a Writ of Mandamus Request for Inspection of Records under United (sic) Information Practices Act Statute 92F, State of Hawaii filed August 10, 2011. I am enclosing the order with this letter for your review and approval as to form. If you have no objections, please sign the order as to form and return it to me by mail for submission to the court. If you do have objections, you should submit them in writing to me and the court pursuant to Rule 23. If I do not receive your response within 5 days of this request, pursuant to Rule 23, I will submit the order for the court's review.

Very truly yours,

A handwritten signature in cursive script that reads "Jill T. Nagamine".

Jill T. Nagamine  
Deputy Attorney General

enclosure

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Director of Health, State of Hawaii and  
Dr. Alvin T. Onaka, State Registrar of the  
Department of Health, State of Hawaii

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

DR. ORLY TAITZ, ESQ.,

Plaintiff,

vs.

LORETTA FUDDY IN HER OFFICIAL  
CAPACITY AS DIRECTOR OF THE  
DEPARTMENT OF HEALTH, STATE OF  
HAWAII, DR. ALVIN T. ONAKA, IN HIS  
OFFICIAL CAPACITY AS THE REGISTRAR,  
DEPARTMENT OF HEALTH, STATE OF  
HAWAII,

Defendants.

CIVIL NO. 11-1-1731-08 RAN

ORDER GRANTING MOTION TO DISMISS  
PETITION FOR A WRIT OF MANDAMUS  
REQUEST FOR INSPECTION OF RECORDS  
UNDER UNITED (SIC) INFORMATION  
PRACTICES ACT STATUTE 92F, STATE OF  
HAWAII FILED AUGUST 10, 2011

HEARING

DATE: October 12, 2011

TIME: 8:30 a.m.

JUDGE: Hon. Rhonda A. Nishimura

ORDER GRANTING MOTION TO DISMISS PETITION FOR A WRIT OF MANDAMUS  
REQUEST FOR INSPECTION OF RECORDS UNDER UNITED (SIC) INFORMATION  
PRACTICES ACT STATUTE 92F, STATE OF HAWAII FILED AUGUST 10, 2011

On August 10, 2011, Dr. Orly Taitz, Esq. ("Plaintiff") filed her Petition for a Writ of Mandamus Request for Inspection of Records under United (sic) Information Practices Act Statute 92F, State of Hawaii ("Petition") against Loretta Fuddy, in her official capacity as Director of the Department of Health State of Hawaii, and Dr. Alvin T. Onaka, in his official capacity as the Registrar, Department of Health State of Hawaii ("Defendants"). The Petition sought a Writ of Mandamus advising the Defendants that (1) the President has waived any claims of privacy in his long form birth certificate by making a public disclosure of the document, (2) section 338-18, Hawaii Revised Statutes (HRS), does not apply to the President's long form birth certificate and that Defendants erred in relying on that statute in refusing to allow Plaintiff to inspect the document, (3) Defendants are obligated to allow Plaintiff to inspect the President's long form birth certificate, and (4) Defendants are liable to Plaintiff for her costs and fees.

On September 2, 2011, Defendants filed their Motion to Dismiss Petition for a Writ of Mandamus Request for Inspection of Records under United (sic) Information Practices Act Statute 92F, State of Hawaii filed August 10, 2011 ("Motion"). Plaintiff submitted an Opposition to Motion Petition for Writ of Mandamus on October 4, 2011, and Defendant's Memorandum in Reply to Plaintiff's Opposition to Motion to Dismiss Petition for Writ of Mandamus was filed October 7, 2011.

On October 12, 2012, at 8:30 a.m., the Motion came on for hearing before the Honorable Rhonda A. Nishimura. Plaintiff appeared Pro Se, and Jill T. Nagamine and Rebecca E. Quinn, Deputy Attorneys General, State of Hawaii, appeared on behalf of the Defendants.

The Court, having considered all pleadings filed herein, the memoranda both in support of and in opposition to the motion, the arguments of counsel and Plaintiff Pro Se, the applicable law, and the record and files in this case, hereby finds as follows:

1. Relief is not available to Plaintiff pursuant to a Writ of Mandamus.
2. Plaintiff wants this Court to consider her Petition as an agency appeal pursuant to chapter 91, HRS; her pleadings do not constitute an agency appeal, nor would an agency appeal be proper under the circumstances presented.
3. Going beyond Plaintiff's requests to treat this matter as an agency appeal, if the Court treats the Petition as a Complaint, there is still no basis upon which to grant Plaintiff the relief she seeks.

THEREFORE, IT IS HEREBY ADJUDGED, ORDERED, AND DECREED that:

1. Defendants' Motion to Dismiss Petition for a Writ of Mandamus Request for Inspection of Records under United (sic) Information Practices Act Statute 92F, State of Hawaii filed August 10, 2011 is granted.
2. All of Plaintiff's claims against the Defendants are dismissed with prejudice.

DATED: Honolulu, Hawaii, \_\_\_\_\_.

\_\_\_\_\_  
HONORABLE RHONDA A. NISHIMURA  
JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

\_\_\_\_\_  
DR. ORLY TAITZ, ESQ.  
Plaintiff Pro Se