

FILED

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2004 NOV -8 PM 3:42

D. MORIOKA, CLERK
SECOND JUDICIAL CIRCUIT
STATE OF HAWAII

Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of)
Consumer Protection,)
)
Plaintiff,)

CIVIL NO. 03-1-0458 (2)
(Other Civil Action)

ORDER GRANTING PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON CIVIL PENALTIES

vs.)

(Motion Filed June 18, 2004)

AMERICAN UNIVERSITY HAWAII,)
INC., a Hawaii corporation dba The)
American University of Hawaii and)
AUH and HASSAN H. SAFAVI aka)
Henry Safavi,)

HEARING
Date: October 15, 2004
Time: 8:30 a.m.
Judge: Rhonda I.L. Loo

Defendants.)

Trial Date: November 15, 2004
SCF Date: October 29, 2004

ORDER GRANTING PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT ON CIVIL PENALTIES

Plaintiff having filed a Motion for Partial Summary Judgment on Civil Penalties on June 18, 2004; the matter having come on for hearing before the Honorable Rhonda I.L. Loo on October 15, 2004 at 8:30 o'clock a.m.; Plaintiff

having been represented by Jeffrey E. Brunton; Defendant American University Hawaii, Inc. having been represented by Richard K. Minatoya; the court having reviewed the materials in support of and in opposition to the motion and the court having heard oral arguments of counsel; and good cause appearing therefore

THE COURT HEREBY FINDS that Defendant American University Hawaii, Inc. committed at least 1,000 separate violations of Hawaii Rev. Stat. §480-2;

THE COURT HEREBY FURTHER FINDS that the minimum penalty of \$500 per violation, pursuant to Hawaii Rev. Stat. §480-3.1 is appropriate; and

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Partial Summary Judgment on Civil Penalties be and hereby is granted and a civil penalty of \$500,000.00 be and is hereby imposed against Defendant American University Hawaii, Inc..

DATED: Honolulu, Hawaii, NOV - 8 2004

/s/ SHACKLEY F. RAFFETTO (Seal)

Judge of the above-entitled Court

APPROVED AS TO FORM:



RICHARD K. MINATOYA
Attorney for Defendant

Civil No. 03-1-0458 (2); State v American University Hawaii, Inc. et al; ORDER GRANTING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CIVIL PENALTIES