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1ST CIRCUIT COURT
STATE OF HAWAII
FILED

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M.N. TANAKA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

| | | |
|---|---|-----------------------------------|
| STATE OF HAWAII, by its Office of Consumer Protection, |) | CIVIL NO. 04-1-0731-04 (GWBC) |
| |) | (Other Civil Action) |
| |) | |
| Plaintiff, |) | ORDER GRANTING PLAINTIFF'S |
| |) | MOTION TO DISMISS, FOR |
| |) | JUDGMENT ON THE PLEADINGS |
| |) | AND/OR FOR SUMMARY JUDGMENT |
| |) | WITH RESPECT TO DEFENDANTS' |
| vs. |) | COUNTERCLAIM |
| |) | |
| |) | (Motion filed September 23, 2004) |
| |) | |
| UNIVERSITY OF ADVANCED RESEARCH-HAWAII CAMPUS, LTD., a Hawaii corporation and FREDERICK A. MITCHELL, |) | <u>HEARING</u> |
| |) | Date: October 12, 2004 |
| |) | Time: 3:00 p.m. |
| |) | Judge: Gary W. B. Chang |
| |) | |
| |) | |
| Defendants. |) | SCF: None |
| |) | No Trial Date |
| |) | |

ORDER GRANTING PLAINTIFF'S MOTION TO
DISMISS, FOR JUDGMENT ON THE PLEADINGS AND/OR FOR
SUMMARY JUDGMENT WITH RESPECT TO DEFENDANTS' COUNTERCLAIM

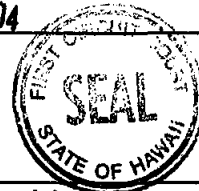
Plaintiff having filed a Motion To Dismiss, For Judgment On The
Pleadings And/Or For Summary Judgment With Respect To Defendants'
Counterclaim on September 23, 2004; the matter having come on for hearing

before the Honorable Gary W. B. Chang on October 12, 2004 at 3:00 o'clock p.m.; Plaintiff having been represented by Jeffrey E. Brunton; Defendant University Of Advanced Research-Hawaii Campus, Ltd. having failed to appear; Defendant Frederick A. Mitchell appearing *pro per* by telephone; the court having reviewed the materials in support of the motion; there having been no written opposition to the motion filed; the court having heard oral arguments of counsel; and good cause appearing therefore;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff's Motion To Dismiss, For Judgment On The Pleadings And/Or For Summary Judgment With Respect To Defendants' Counterclaim be and hereby is granted and final judgment is to be entered accordingly.

DATED: Honolulu, Hawaii, NOV 5 2004

GARY W. B. CHANG



Judge of the above-entitled Court

APPROVED AS TO FORM:

Frederick A. Mitchell
Defendant *Pro Per*

CIVIL NO. 04-1-0731-04 (GWBC); State v. University of Advanced Research-Hawaii Campus, Ltd., et al.; ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS, FOR JUDGMENT ON THE PLEADINGS AND/OR FOR SUMMARY JUDGMENT WITH RESPECT TO DEFENDANTS' COUNTERCLAIM