

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2003 MAR 28 AM 8:43

JEFFREY E. BRUNTON #2833
Office of Consumer Protection
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B. CHO
CLERK

Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of Consumer Protection,	)	CIVIL NO. 02-1-1722-07 (RWP)
	)	(Other Civil Action)
)	
Plaintiff,	)	DEFAULT JUDGMENT AGAINST
	)	DEFENDANT TRINITY COLLEGE OF
	)	SCIENCE & MANAGEMENT OF
	)	SOUTHWEST INTERNATIONAL
	)	UNIVERSITY; EXHIBITS 1 AND 2
vs.)	
	)	(Motion filed February 28, 2003)
)	
	)	<u>HEARING</u>
TRINITY COLLEGE OF SCIENCE & MANAGEMENT OF SOUTHWEST INTERNATIONAL UNIVERSITY, a Hawaii corporation; MAO JUNG LEE JAMES KING and ADAM Y. HAN,	)	Date: March 27, 2003
	)	Time: 10:00 a.m.
	)	Judge: Richard W. Pollack
)	
	)	Trial Date: None
	)	SCF Date: None
Defendants.)	
)	

DEFAULT JUDGMENT AGAINST DEFENDANT
TRINITY COLLEGE OF SCIENCE & MANAGEMENT
OF SOUTHWEST INTERNATIONAL UNIVERSITY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Business
Registration Division of the Department of Commerce and Consumer Affairs of the
State of Hawaii shall and is hereby ordered to dissolve, terminate, revoke and/or

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Attorney for Plaintiff

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Defendants.)	
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DEFAULT JUDGMENT AGAINST DEFENDANT
TRINITY COLLEGE OF SCIENCE & MANAGEMENT
OF SOUTHWEST INTERNATIONAL UNIVERSITY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Business
Registration Division of the Department of Commerce and Consumer Affairs of the
State of Hawaii shall and is hereby ordered to dissolve, terminate, revoke and/or

cancel, all trademarks, corporate registrations (including that for Trinity College of Science & Management of Southwest International University) and certificates of authority held by or for Defendant Trinity College of Science & Management of Southwest International University.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Trinity College of Science & Management of Southwest International University shall be and are hereby ordered to immediately take whatever steps as are necessary to ensure that the web pages or web sites operated, in whole or part, by Defendant Trinity College of Science & Management of Southwest International University cannot be accessed by the public.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Trinity College of Science & Management of Southwest International University, its agents, employees, successors and assigns, directly or indirectly, individually or in concert with others, or through any corporate or other device, be and are hereby permanently enjoined from:

- a. Providing any post-secondary instructional programs or courses leading to a degree;
- b. Acting as or holding themselves out as a “college, academy, institute, institution, university” or anything similar thereto; and
- c. Failing to comply with Hawaii Rev. Stat. Chap. 446E or § 480-2(a) in any particulars.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Trinity College of Science & Management of Southwest International University shall

implement a restitution program as follows. Defendant Trinity College of Science & Management of Southwest International University be and is hereby ordered to immediately compile a list of those students who enrolled in or graduated from Trinity College of Science & Management of Southwest International University subsequent to July 1, 1999 and to send a written offer of restitution to each such individual in the appropriate form attached as Exhibits 1 or 2. Defendant Trinity College of Science & Management of Southwest International University be and is hereby ordered, adjudged and decreed to make restitution to anyone requesting it within twenty days of the receipt of such a request.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Trinity College of Science & Management of Southwest International University be and hereby is liable to Plaintiff for civil penalties in the amount of \$89,000.00.

The only remaining claims are Plaintiff's claims against Defendant Adam Y. Han.

DATED: Honolulu, Hawaii, _____.

Judge of the above-entitled Court

implement a restitution program as follows. Defendant Trinity College of Science & Management of Southwest International University be and is hereby ordered to immediately compile a list of those students who enrolled in or graduated from Trinity College of Science & Management of Southwest International University subsequent to July 1, 1999 and to send a written offer of restitution to each such individual in the appropriate form attached as Exhibits 1 or 2. Defendant Trinity College of Science & Management of Southwest International University be and is hereby ordered, adjudged and decreed to make restitution to anyone requesting it within twenty days of the receipt of such a request.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Trinity College of Science & Management of Southwest International University be and hereby is liable to Plaintiff for civil penalties in the amount of \$89,000.00.

The only remaining claims are Plaintiff's claims against Defendant Adam Y. Han.

DATED: Honolulu, Hawaii, MAR 28 2003

Richard W. Pollack

Judge of the above-entitled Court



Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Trinity College of Science & Management of Southwest International University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid conditioned only on return of the diploma. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us with the diploma. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

_____, President
Trinity College of Science & Management of
Southwest International University

Enc.

Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Trinity College of Science & Management of Southwest International University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

_____, President
Trinity College of Science &
Management of Southwest
International University

Enc.

EXHIBIT 1

Date

Name

Address

City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, Trinity College of Science & Management of Southwest International University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

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Very truly yours,

_____, President
Trinity College of Science & Management of
Southwest International University

Enc.

Date

Name
Address
City, State Zip Code

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

_____, President
Trinity College of Science &
Management of Southwest
International University

Enc.

EXHIBIT

2