

NO. 26168

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CIVIL NO. 03-1-0546

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,  
Complainant/Appellant/Appellee,

vs.

FRANK J. DOYLE, Deputy Director, Department of Environmental Services, City and County of Honolulu; TIMOTHY E. STEINBERGER, Director, Department of Environmental Services, City and County of Honolulu; CHERYL OKUMA-SEPE; Director, Department of Human Resources, City and County of Honolulu; and JEREMY HARRIS, Mayor City and County of Honolulu, Respondents/Appellees/Appellants,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, Chairperson; CHESTER C. KUNITAKE, Board Member, and KATHLEEN RACUYA-MARKKRICH, Board Member, Appellees-Appellees.

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CIVIL NO. 03-1-0552

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,  
Complainant/Appellee,

vs.

FRANK J. DOYLE, Deputy Director, Department of Environmental Services, City and County of Honolulu; TIMOTHY E. STEINBERGER, Director, Department of Environmental Services, City and County of Honolulu; CHERYL OKUMA-SEPE; Director, Department of Human Resources, City and County of Honolulu; and JEREMY HARRIS, Mayor City and County of Honolulu, Respondents/Appellees/Appellants,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, Chairperson; CHESTER C. KUNITAKE, Board Member, and KATHLEEN RACUYA-MARKKRICH, Board Member, Appellees-Appellees.

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NOS. 03-1-0546 and 03-1-0552)

SANCTION ORDER  
(By: Levinson, J.)

Upon examination of (1) Paul T. Tsukiyama's June 28, 2004 declaration in response to the June 17, 2004 order striking Respondents/Appellees/Appellants Frank Doyle, Timothy E. Steinberger, Cheryl Okuma-Sepe, and Jeremy Harris's March 1, 2004 opening brief, striking the case from the ready calendar, requiring re-briefing, and ordering Mr. Tsukiyama to show cause why the supreme court should not sanction Mr. Tsukiyama for his violations of Rules 28(b)(3) and 28(b)(4) of the Hawai'i Rules of Appellate Procedure (HRAP), (2) records showing that the supreme court gave Mr. Tsukiyama prior notice that he must comply with the Hawai'i Rules of Appellate Procedure on four previous occasions in supreme court case numbers 22320, 24106, 15442, and 26168, and (3) the record, it appears that Mr. Tsukiyama's failure to comply with HRAP Rule 28(b)(3) and HRAP Rule 28(b)(4) warrants a sanction pursuant to HRAP Rule 30. Therefore,

IT IS HEREBY ORDERED that Paul T. Tsukiyama (attorney number 3041) is sanctioned in the amount of \$25.00. Mr. Tsukiyama shall write a check in the amount of \$25.00 to the Hawai'i State Director of Finance, and he shall submit his check with an attached copy of this order to the Clerk of the Supreme Court of Hawai'i within ten (10) days after the date of this order. Mr. Tsukiyama shall also file a declaration attesting to said payment with the Supreme Court of Hawai'i within ten (10) days after the date of this order.

Failure to comply with this order will result in further sanctions.

DATED: Honolulu, Hawai'i, June 30, 2004.

STEVEN H. LEVINSON  
Associate Justice