

NO. 28951

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

STEVEN T. BRITTAIN, Respondent.

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 FEB 29 AM 8:53

FILED

ORIGINAL PROCEEDING

(ODC 07-148-8608, 07-062-8522, 07-006-8466)

ORDER ALLOWING RESIGNATION IN LIEU OF DISCIPLINE

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the Office of Disciplinary Counsel's "petition for order granting request of Steven T. Brittain to resign from the practice of law in lieu of discipline" (petition to resign), the Disciplinary Board's "report and recommendation for the disbarment of Steven T. Brittain" (report and recommendation for disbarment), and the memorandum, affidavit, and exhibits in support thereof, it appears the petition to resign is supported by Respondent Brittain's affidavit and that the affidavit meets the requirements of Rule 2.14(a) of the Rules of the Supreme Court of the State of Hawai'i (RSCH). Therefore,

IT IS HEREBY ORDERED that the petition is granted and the request of Respondent Steven T. Brittain to resign in lieu of discipline is granted, effective thirty (30) days after entry as provided by RSCH 2.16(c).

IT IS FURTHER ORDERED that the Disciplinary Board's report and recommendation for disbarment is dismissed as moot. See RSCH 2.14(d) ("resignation in lieu of discipline is a disbarment for all purposes under these rules, including

reinstatement").

IT IS FURTHER ORDERED that (1) upon the effective date of this order, the Clerk shall remove the name of Steven T. Brittain from the roll of attorneys licensed to practice law in this jurisdiction, and (2) within ten (10) days after the effective date of this order, Respondent Brittain shall deposit with the Clerk of this court the original certificate evidencing his license to practice law in this State.

IT IS FURTHER ORDERED that Respondent Brittain shall comply with the requirements of RSCH 2.16, and the Disciplinary Board shall provide notice to the public and judges, as required by RSCH 2.16(e) and (f).


IT IS FINALLY ORDERED that Respondent Brittain shall as a condition for reinstatement: (1) make restitution to Nainoa Opunui in the amount of \$11,040.94, the State of Hawai'i in the amount of \$11,000.00, and Acclamation Insurance Management Services/Hawai'i Medical Services Association in the amount of \$25,279.96; (2) participate in and be monitored by the Attorneys and Judges Assistance Program ("AAP") until he completes his AAP contract; and (3) pay to the Disciplinary Board all costs associated with these proceedings.

DATED: Honolulu, Hawai'i, March 4, 2008.



Steven T. Brittain

Annun G. Tachy, Clerk



Pamela E. Dobby, Dr.