

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

DR. ORLY TAITZ,)	CIVIL NO. 11-00519 SOM-RLP
)	
Plaintiff,)	ORDER DENYING PLAINTIFF'S
)	EMERGENCY EX PARTE MOTION FOR
vs.)	EMERGENCY ORDER TO SHOW CAUSE
)	AND TO COMPEL ATTENDANCE FOR
MICHAEL J. ASTRUE,)	PRODUCTION OF DOCUMENTS AND FOR
COMMISSIONS OF THE SOCIAL)	ATTORNEYS' FEES AND COSTS AND
SECURITY ADMINISTRATION,)	VACATING HEARING
)	
Defendant.)	
_____)	

ORDER DENYING PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR EMERGENCY ORDER TO SHOW CAUSE AND TO COMPEL ATTENDANCE FOR PRODUCTION OF DOCUMENTS AND FOR ATTORNEYS' FEES AND COSTS AND VACATING HEARING

On August 8, 2011, Plaintiff Orly Taitz ("Plaintiff") filed an Emergency Ex Parte Motion for Emergency Order To Show Cause and to Compel Attendance for Production of Documents and for Attorneys' Fees and Costs ("Motion"). Docket No. 1. The Motion sought to enforce a subpoena issued in a case proceeding in the United States District Court for the District of Columbia, Civil Action No. 11-402 (RCL) ("District of Columbia action"). The subpoena sought to compel third-party witness Loretta Fuddy, Director of Health, State of Hawaii, to produce for inspection the original birth certificate of the President of the United States Barack Obama.

The Court determined that the Motion should be heard in the normal course and set a hearing for September 14, 2011. Docket No. 4. On August 24, 2011, Ms. Fuddy filed a Memorandum in Opposition to Plaintiff's Motion. Docket No. 9. At a hearing

before Chief Judge Susan Oki Mollway on August 30, 2011, the court was informed that the District of Columbia action had been dismissed. See Docket No. 12. Plaintiff informed the court that she would be filing a motion for reconsideration of the District of Columbia court's decision. Id. The court continued the hearing on the Motion and ordered that Plaintiff file her reply by September 20, 2011, which she did. See id.; Docket No. 20.

The Court finds this matter suitable for disposition without a hearing pursuant to Rule 7.2(d) of the Local Rules of Practice of the United States District Court for the District of Hawaii. The hearing set for November 21, 2011 is VACATED. The United States District Court for the District of Columbia issued a Memorandum and Order denying Plaintiff's motion for reconsideration. Taitz v. Astrue, Civil Action No. 11-402 (RCL), 2011 WL 3805741 (D.D.C. Oct. 17, 2011). Because the District of Columbia action has been dismissed, Plaintiff's Motion is DENIED.

IT IS SO ORDERED.

DATED AT HONOLULU, HAWAII, OCTOBER 26, 2011




Richard L. Puglisi
United States Magistrate Judge

**TAITZ V. ASTRUE, CIVIL NO. 11-00519 SOM-RLP; ORDER DENYING
PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR EMERGENCY ORDER TO SHOW
CAUSE AND TO COMPEL ATTENDANCE FOR PRODUCTION OF DOCUMENTS AND
FOR ATTORNEYS' FEES AND COSTS AND VACATING HEARING**