

MINUTES

CASE NUMBER: CV NO. 11-00589ACK-BMK
CASE NAME: Kirk C. Fisher Vs. Louis Kealoha, et al.
ATTYS FOR PLA: Donald L. Wilkerson, Esquire
Te-Hina Ickes, Esquire
ATTYS FOR DEFT: D. Scott Dodd, Esquire
Amicus-Brady Center to Prevent Gun Violence-Mark
Murakami, Esquire and Phillip Rubin, Esquire
Amicus Hawaii Defense Foundation-Alan Beck, Esquire-
Telephonically

INTERPRETER:

JUDGE:	Alan C. Kay	REPORTER:	Cynthia Ott
DATE:	08/12/2013	TIME:	10:05am-10:17am

COURT ACTION: EP: COURT HEARING-

Plaintiff's Motion for Permanent Injunction [ECF Doc. 75]

Plaintiff's Motion for Summary Judgment [ECF Doc.77]

Defendants City and County of Honolulu and Louis Kealoha's Motion for Summary Judgment [ECF Doc. 89]

Defendants City and County of Honolulu and Louis Kealoha's Motion for leave to file document consisting of an additional exhibit to supplement Defendants Louis Kealoha and City and County of Honolulu's Separate and Concise Counter-Statement of facts in opposition to Plaintiffs Motion for Summary Judgment [ECF Doc. 99]

Court will not hear oral argument as to Plaintiffs Motion for Permanent Injunction and Plaintiffs Motion for Summary Judgment today. The Court Hearing on these two Motions is hereby continued to Tuesday, September 17, 2013 at 10:00 a.m. before the

Honorable Alan C. Kay.

Defendants City and County of Honolulu and Louis Kealoha's Motion for leave to file document consisting of an additional exhibit (Plaintiff's deposition) to supplement Defendants Louis Kealoha and City and County of Honolulu's Separate and Concise Counter-Statement of facts in opposition to Plaintiff's Motion for Summary Judgment is hereby GRANTED. Court finds by granting this Motion there is no prejudice to the Plaintiffs because Plaintiffs have the opportunity to address the exhibit in their supplemental brief, as explained below.

Supplemental Briefing shall be filed in 10 days addressing (1) the U.S. Supreme Court Decision issued on June 20, 2013-Descamps Vs United States, 133S. Ct. 2276 (2013) and (2) the issues raised in Plaintiff's deposition re Plaintiff's previous harassment convictions and his probation conditions about substance abuse. Supplemental Briefing is limited to 10 pages as to the Plaintiff and the Defendants; and limited to 5 pages as to the Amicus Parties.

Defendants City and County of Honolulu and Louis Kealoha's Motion for Summary Judgment is hereby Denied without Prejudice.

Submitted by Leslie L. Sai, Courtroom Manager