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Attorney for Defendants
LOUIS KEALOHA and the
CITY AND COUNTY OF HONOLULU

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

KIRK C. FISHER,	)	CIVIL NO. CV11-00589 ACK-BMK
)	
Plaintiff,)	
	)	DEFENDANTS LOUIS KEALOHA
vs.	)	AND CITY AND COUNTY OF
	)	HONOLULU'S MOTION FOR
LOUIS KEALOHA, as an individual	)	SUMMARY JUDGMENT, OR IN THE
and in his official capacity as Honolulu	)	ALTERNATIVE, MOTION FOR
Chief of Police, PAUL PUTZULU, as	)	RECONSIDERATION;
an individual and in his official capacity	)	MEMORANDUM IN SUPPORT OF
as former acting Honolulu Chief of	)	MOTION; CERTIFICATE OF
Police, and CITY AND COUNTY OF	)	SERVICE
HONOLULU,)	
)	
Defendants.)	
	)	Judge: Alan C. Kay
_____	)	Trial Date: September 3, 2014

**DEFENDANTS LOUIS KEALOHA AND CITY AND COUNTY OF
HONOLULU’S MOTION FOR SUMMARY JUDGMENT, OR IN THE
ALTERNATIVE, MOTION FOR RECONSIDERATION**

Come now Defendants CITY AND COUNTY OF HONOLULU (“City”) and LOUIS KEALOHA (“Chief Kealoha”) (collectively, the City and Chief Kealoha shall be referred to as “Defendants”) by and through their counsel, Donna Y. L. Leong, Corporation Counsel, and Marguerite S. Nozaki, Deputy Corporation Counsel, move, pursuant to Rule 56 of the Federal Rules of Civil Procedure for an order granting reconsideration of this Court’s Order entered on September 30, 2014 [Doc. No. 111], pursuant to Local Rule 60.1 of the Rules of the United States District Court for the District of Hawaii, due to an intervening change in law.

In the alternative, Defendants move for an order granting summary judgment in Defendants’ favor and dismissing this action and the two remaining claims in Plaintiff KIRK C. FISHER’S (“Plaintiff”) Complaint filed on June 14, 2012, because there is no genuine issue of material fact that Defendant Kealoha is entitled to qualified immunity and Plaintiff lacks standing to bring his claims against Defendants.

This motion is based upon Rules 7 and 56 of the Federal Rules of Civil Procedure, and Local Rules 56.1 and 60.1 of the Rules of the United States District Court for the District of Hawaii, and is supported by the Memorandum in Support of Motion, Separate Concise Statement of Facts, declaration and exhibits, the

record and files herein, as well as such other oral and/or written evidence as may be offered at the hearing of this matter.

DATED: Honolulu, Hawai‘i, April 2, 2014.

DONNA Y. L. LEONG
Corporation Counsel

By /s/Marguerite S. Nozaki
MARGUERITE S. NOZAKI
Deputy Corporation Counsel

Attorney for Defendants
CITY AND COUNTY OF HONOLULU
AND LOUIS KEALOHA