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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,)	
)	DECLARATION OF MARGUERITE
vs.)	S. NOZAKI
)	
LOUIS KEALOHA, as an individual)	
and in his official capacity as Honolulu)	
Chief of Police, PAUL PUTZULU, as)	
an individual and in his official capacity))	
as former acting Honolulu Chief of)	
Police, and CITY AND COUNTY OF)	
HONOLULU,)	
)	
Defendants.)	Judge: Alan C. Kay
)	Trial Date: September 3, 2014
)	
_____)	

DECLARATION OF MARGUERITE S. NOZAKI

I, MARGUERITE S. NOZAKI, do hereby declare as follows:

1. I am an attorney licensed to practice law in all of the courts of the State of Hawaii and I am a member in good standing of these courts. I am also a Deputy Corporation Counsel with The Department of The Corporation Counsel (“COR”), and the attorney for Defendants Louis Kealoha and the City and County of Honolulu.

2. I have personal knowledge of and am competent to make this Declaration concerning the matter set forth below.

3. Attached hereto as **Exhibit A** is a true and correct copy of the Judicial Determination of Probable Cause for the Extended Restraint of Liberty of Warrantless Arrestee; Affidavit in Support of Warrantless Arrest, filed in the Family Court of the First Circuit, State of Hawaii, on November 6, 1997, entered as Doc. No. 39-5.

4. Attached hereto as **Exhibit B** is a true and correct copy of the Declaration of Kirk C. Fisher, filed in support of his Motion for Summary Judgment filed on February 26, 2013, entered as Doc. No. 78-1.

5. Attached hereto as **Exhibit C** is a true and correct copy of the judgment of conviction in FC-CR 97-3233 filed on December 3, 1997, showing

that Plaintiff Kirk C. Fisher (“Plaintiff”) pled guilty to two counts of harassment pursuant to Hawai‘i Revised Statutes §711-1106(1)(a), entered as Doc. No. 39-6.

6. Attached hereto as **Exhibit D** is a true and correct copy of terms and conditions of probation and the acknowledgement of the terms and conditions of probation signed by Plaintiff in FC-CR 97-3233, showing the requirement of attending domestic violence intervention, parenting classes and a drug and alcohol assessment and treatment, entered as Doc. No. 39-7.

7. Attached hereto as **Exhibit E** is a true and correct copy of the Order Permitting Return of Firearms, Ammunition, Permits and Licenses, with Conditions, signed by the Honorable Dan T. Kochi filed November 4, 1998, entered as Doc. No. 78-4.

8. Attached hereto as **Exhibit F** is a true and correct copy of compliance reports submitted in FC-CR 97-3233 showing Plaintiff completed ten sessions of domestic violence counseling sessions and twelve hours of drug and alcohol education, entered as Doc. No. 39-8.

9. Attached hereto as **Exhibit G** are true and correct copies of pages 48:23 to 50:17 of the Transcripts from the Deposition of Kirk C. Fisher taken on April 17, 2013.

10. Attached hereto as **Exhibit H** is a true and correct copy of the Declaration of Thomas T. Nitta in support of Defendants’ Memorandum in

Opposition to Plaintiff's Motion for Summary Judgment and Motion for Permanent Injunction, entered as Doc. No. 90-1.

I, MARGUERITE S. NOZAKI, declare under penalty of law that the foregoing is true and correct.

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

MARGUERITE S. NOZAKI