

1 Looking back at Exhibit 1, on the second
2 page, do you see a -- either an X or a check mark on the
3 upper left side of the page?

4 A. Yes.

5 Q. Okay. Could you read what is just -- is right
6 next to that?

7 A. The first X?

8 Q. The first X.

9 A. "You shall complete a domestic violence
10 counseling at your expense as decorated by your
11 probationary officer."

12 Q. I think it's "directed," but thank you for
13 that.

14 Do you remember being required to complete
15 domestic violence counseling as a condition of your
16 probation?

17 A. Yes.

18 Q. Okay. Do you have an understanding of why you
19 were required to complete domestic violence counseling as
20 part of your probation?

21 A. Yes.

22 Q. Okay. What is that understanding?

23 A. It was part of the judgment handed down by the
24 courts.

25 Q. What did the domestic violence counseling

1 A. Oh, yeah.

2 Q. Okay. Below -- looking back at Exhibit 1, just
3 below that first X, do you see a check mark on the left
4 side of the page?

5 A. Yes.

6 Q. Could you read the writing that is just next to
7 that check mark?

8 A. "You should complete a parental" -- "parenting
9 class at your expense as decorated by your probationary
10 officer."

11 Q. Okay. Again, I think it's "directed."

12 A. Directed. Sorry I keep pronouncing it that
13 way.

14 Q. No problem.

15 So is it your understanding that you were
16 required to complete parenting classes as a condition of
17 your probation?

18 A. Yes.

19 Q. And did you have an understanding of why you
20 were required to complete the parenting classes?

21 A. Yes.

22 Q. And what was that understanding?

23 A. It was a judgment handed down by the courts.

24 Q. Okay. And do you remember what those parenting
25 classes entailed?

1 entail?

2 A. It was more or less an anger management.

3 Q. Were they classes?

4 A. Yes.

5 Q. Was there --

6 A. A certain amount of hours, I believe, that went
7 on with it.

8 Q. Do you remember how many hours?

9 A. No.

10 Q. Was it one session?

11 A. No.

12 Q. Was it --

13 A. It was several. I think, if I recall, a few
14 weeks.

15 Q. Was it something -- or the type of thing where
16 you went several times a week in the evening?

17 A. Yes.

18 Q. Okay. And there was a number of hours that you
19 had to take?

20 A. Yes.

21 Q. Okay. Did you successfully complete the
22 domestic violence counseling?

23 A. Yes.

24 Q. Okay. Did you feel that the domestic violence
25 counseling helped you?

1 A. They're very similar to the other class and
2 there was a certain amount of hours that went with that.

3 Q. Did you -- were you able to take the classes at
4 the same time, the domestic violence and the parenting
5 classes?

6 A. No. They were separate, I believe.

7 Q. Okay. So it was like a different instructor?

8 A. Yes.

9 Q. Okay.

10 A. Yes, indeed.

11 Q. Did you successfully complete the parenting
12 classes?

13 A. Yes.

14 Q. And do you see another X below that line?

15 A. Yes.

16 Q. Okay. Could you read that for us, please?

17 A. "You shall undergo a substance abuse assignment
18 and immediately undergo and complete any recommended
19 treatment, whether residential or" -- what is that?

20 Q. "Outpatient."

21 A. -- "outpatient, all at your own expense and as
22 directed by your probationary officer."

23 Q. Okay. So was it your understanding that you
24 needed to do a substance abuse assessment as a condition
25 of the probation?

1 A. Yes.
 2 Q. Okay. Did you undergo a substance abuse
 3 assessment?
 4 A. Yes.
 5 Q. What was that? What was that assessment? How
 6 did that work?
 7 A. That was interesting. That went really well.
 8 Q. How did they conduct that? Like, how did they
 9 do that?
 10 A. It was a classroom.
 11 Q. Did you take a test or something?
 12 A. I don't recall.
 13 Q. Did they have a counselor there talk to you?
 14 A. Yes. And it was also a certain time period
 15 like the other classes.
 16 Q. So there were classes?
 17 A. Yeah.
 18 Q. Okay. Do you remember what the assessment --
 19 like, what the conclusion was?
 20 A. I passed the course.
 21 Q. Okay. So you -- did you -- were you required
 22 to take substance abuse counseling?
 23 A. Yeah, I believe that was part of the criteria
 24 here. All of this was counseling.
 25 Q. Okay. And you remember taking some classes for

1 questioning about the substance abuse assessment, now,
 2 you've never been diagnosed as being an alcoholic.
 3 Correct?
 4 A. That is correct.
 5 Q. And when -- just for clarification, this order,
 6 State's Exhibit Number 1 here, is -- refers to a
 7 substance abuse assessment and undergo and complete
 8 treatment if recommended.
 9 A. There was no recommendation of me going through
 10 another treatment.
 11 Q. Okay. So did you just go through an assessment
 12 or were you assessed and told that you needed to get
 13 treatment after that?
 14 A. Was never told that I had to get treatment
 15 after that.
 16 Q. So would it be fair to say that you just got
 17 the substance abuse assessment and the assessment
 18 concluded that you did not need treatment?
 19 A. Yes.
 20 MR. WILKERSON: Nothing further.
 21 MR. DODD: No further questions.
 22 You're going to have an opportunity to sign
 23 your transcript. I assume that the transcript will be
 24 given to your attorney who will then make it available
 25 for you to review and sign. Do you wish to retain the

1 the substance abuse counseling?
 2 A. Yes.
 3 Q. Do you remember how many?
 4 A. But it -- like I said, it was, you know,
 5 several weeks.
 6 Q. Were they all about the same amount of hours,
 7 each of the three?
 8 A. I believe so, yes.
 9 Q. So they all completed around the same time?
 10 A. Yes.
 11 Q. Okay. Were you given certificates for -- when
 12 you completed these courses or classes?
 13 A. I think so. I'd have to go through my records
 14 and look. I'd have to show them something of completion.
 15 Q. Okay. And is it your understanding that you
 16 successfully completed all of the classes?
 17 A. Yes.
 18 Q. Okay. Mr. Fisher, I think that is all of the
 19 questions I have for you today. For the signature --
 20 MR. WILKERSON: I've got a couple.
 21 MR. DODD: Oh, you've got a couple
 22 questions. Okay. Excuse me.
 23 EXAMINATION
 24 BY MR. WILKERSON:
 25 Q. Mr. Fisher, with regard to this last line of

1 right to review and sign your transcript?
 2 MR. WILKERSON: Yeah.
 3 MR. DODD: Okay.
 4 THE WITNESS: Yes.
 5 MR. DODD: Fair enough. Thank you very
 6 much for your time, sir.
 7 (Deposition concluded at 10:32 a.m.)
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WITNESS CERTIFICATE

I, KIRK C. FISHER, hereby certify that I have read the foregoing typewritten pages 1 through 54, inclusive, and corrections, if any, were noted by me, and the same is a true and correct transcript of my testimony.

Dated this ____ day of _____, 2013.

KIRK C. FISHER

Signed before me this ____ day of _____, 2013.

Deposition of: KIRK C. FISHER
Taken on: April 17, 2013
Fisher v. Kealoha, et al.
CV11 00589 ACK-BMK
By: Leigh Anne Meeks, RPR, CSR 483

CERTIFICATE
STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

I, LEIGH ANNE MEEKS, do hereby certify:
That on April 17, 2013, at 9:00 a.m.,
appeared before me KIRK C. FISHER, the witness whose
54-page deposition is contained herein; that prior to
being examined, he was, by me, duly sworn or affirmed
pursuant to Act 110 of the 2010 Session of the Hawaii
State Legislature; that the deposition was taken down by
me in machine shorthand and was thereafter reduced to
typewritten form under my supervision; that the foregoing
represents, to the proceedings had in the foregoing
matter; that pursuant to Rule 30(e) of the Hawaii Rules
of Civil Procedure, a request for an opportunity to
review and make changes to this transcript was made by
the deponent or a party prior to the completion of the
deposition.

I further certify that I am not an attorney
for any of the parties hereto, nor in any way concerned
with the cause.

DATED this 29th day of April, 2013, in
Honolulu, Hawaii.

LEIGH ANNE MEEKS, RPR, CSR NO. 483

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