

**Electronically Filed
Supreme Court
SCPW-24-0000484
20-NOV-2024
02:50 PM
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SCPW-24-0000484

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

CIVIL BEAT LAW CENTER FOR THE PUBLIC INTEREST,
Petitioner,

vs.

THE HONORABLE JAMES S. KAWASHIMA,
Judge of the Circuit Court the First Circuit,
State of Hawai‘i, Respondent Judge,

and

M.K.; S. LAWRENCE SCHLESINGER, M.D., FACS;
PHOENIX GROUP, LLC dba THE BREAST IMPLANT CENTER OF HAWAII
and MOMMY MAKEOVER INSTITUTE OF HAWAII,
Respondents.

ORIGINAL PROCEEDING
(CASE NO. 1CCV-19-0002164)

ORDER

(By: Recktenwald, C.J., McKenna, Eddins, Ginoza, and Devens, JJ.)

On July 22, 2024 Petitioner Civil Beat Law Center for the Public Interest filed a petition for writ of prohibition and writ of mandamus that challenges the total sealing of Case No.

1CCV-19-0002164 and the "Order Denying Civil Law Beat Center's Motion to Unseal" filed June 21, 2024 (petition).

It is ordered:

1. On or before December 30, 2024, Respondents shall file an answer to the petition. Respondents' briefs shall not exceed 35 pages. Respondent Judge may file an answer to the petition within the same time, or pursuant to Rule 21(c) of the Hawai'i Rules of Appellate Procedure may elect not to appear.

2. Petitioner may file a reply brief that jointly addresses the Respondents' answers by January 13, 2025. This reply shall not exceed 15 pages. Any party may file a motion to adjust the briefing schedule based on good cause.

3. The briefs may reference documents on file in 1CCV-19-0002164 by citing the case number and docket number, but shall not include copies of the documents on file in the subject case.

4. The appellate clerk shall serve a copy of this order on the Petitioner, Respondent Judge, the Attorney General, and Respondents. A copy of this order shall be filed in 1CCV-19-0002164.

5. Pursuant to Hawai'i Revised Statutes (HRS) § 606-13(b) (2016), the supervising official court reporter of the First Circuit Court is ordered to direct the preparation and filing of transcripts of the May 1, 2024 and May 28, 2024 hearings set forth in the record at 1CCV-19-0002164 dockets 56, 57, and 61.

The official court reporter shall file the transcripts in camera in this case by December 11, 2024. At the time of filing the official court reporter shall include a notation on the costs of the fees for the transcripts which shall be paid in the first instance by the Judiciary from available court funds, with the court reserving ruling on any taxation of costs under HRS § 606-13(b). The clerk of the supreme court shall serve a copy of this order on the First Circuit Court's supervising official court reporter and Chief Court Administrator.

DATED: Honolulu, Hawai'i, November 20, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

