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Supreme Court
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SCAD-13-0003586

IN THE SUPREME COURT OF THE STATE OF HAWAIʻI

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

CHRISTOPHER M. FUJIYAMA,
Respondent.

ORIGINAL PROCEEDING
(ODC 13-031-9101)

ORDER GRANTING PETITION
(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Upon consideration of the petition for the immediate restraint of Respondent Christopher M. Fujiyama from the practice of law pursuant to Rule 2.13 of the Rules of the Supreme Court of the State of Hawaiʻi (RSCH) filed on September 25, 2013 by the Office of Disciplinary Counsel (ODC) pursuant to RSCH Rule 2.13(a), the affidavit and exhibits attached thereto, the September 27, 2013 response filed by Respondent Christopher M. Fujiyama, the exhibit accompanying Respondent Fujiyama's submission, the October 3, 2013 submission by ODC in reply to Respondent Fujiyama's submission, and the October 7, 2013 "sur-reply" filed by Respondent Fujiyama, the court notes the

proof of the finding of guilt in the United States District Court for the District of Hawai‘i of Respondent Fujiyama for trafficking in counterfeit goods, in violation of 18 U.S.C. § 2320(a) would be, pursuant to 18 U.S.C. § 2320(b) and HRS § 701-107(2) (Supp. 2005), a felony were it a conviction in Hawai‘i state courts and further that the conviction is for a crime involving dishonesty or false statements. The court notes Respondent Fujiyama's cooperative and responsible attitude since his conviction, including his self-reporting of his conviction to ODC, but concludes, pursuant to RSCH Rules 2.13(a)(2), 2.13(a)(3) and 2.13(c), Respondent Fujiyama's restraint from the practice of law is warranted during the pendency of the disciplinary proceedings against him. Finally, the court notes that, in his submission, Respondent Fujiyama requests that formal proceedings be instituted forthwith. Therefore,

IT IS HEREBY ORDERED that Respondent Fujiyama is restrained from the practice of law, pursuant to RSCH Rule 2.13(b), said suspension constituting a suspension for the purposes of RSCH Rule 2.16 during the pendency of the disciplinary proceedings and, therefore, shall be effective 30 days from the entry date of this order, pursuant to RSCH Rule 2.16(c).

IT IS FURTHER ORDERED that Respondent Fujiyama shall file an affidavit of compliance with his suspension within 10

days after the effective date of his suspension, pursuant to RSCH Rule 2.16(d).

IT IS FURTHER ORDERED that ODC shall file proof of the finding of guilt, and any other related documents it deems relevant, with the Disciplinary Board of the Supreme Court as required by RSCH Rule 2.13(a), file in the docket of this case proof of that filing, and refer the Board to the provisions of RSCH Rule 2.13(d) for the prompt institution of a formal disciplinary proceeding pursuant to RSCH Rules 2.7 and 2.13(d).

DATED: Honolulu, Hawai‘i, November 6, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack