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Supreme Court
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SCPW-14-000859

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL G.M. OSTENDORP, Petitioner,

vs.

THE OFFICE OF DISCIPLINARY COUNSEL, ACTING CHIEF DISCIPLINARY
COUNSEL CHARLENE M. NORRIS, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the May 30, 2014 petition for a writ of prohibition submitted by Petitioner attorney Michael G.M. Ostendorp, this court notes the passage of time between the initial complaints and the present but, upon a review of the record, anticipates their timely resolution, and concludes nothing in the petition or the attached exhibits supports the conclusion that the Office of Disciplinary Counsel has violated a duty owed this court, or abused the discretion delegated to it by this court to investigate the allegations of misconduct lodged against the

Petitioner. See *Breiner v. Sunderland*, 112 Haw. 60, 64-65, 143 P.3d 1262, 1266-67 (2006); *In re Disciplinary Bd. of the Hawai'i Supreme Court*, 91 Hawai'i 363, 368-71, 984 P.2d 688, 693-96 (1999); *Akinaka v. Disciplinary Bd. of the Hawai'i Supreme Court*, 91 Hawai'i 51, 57, 979 P.2d 1077, 1083 (1999). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is denied, without prejudice to the Petitioner, in his discretion, filing a protective order with the appropriate party, pursuant to Rule 12(c) of the Rules of the Disciplinary Board with regards to his medical records.

DATED: Honolulu, Hawai'i, June 13, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

