

NO. 18999

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

GARY N. MORIKAWA, Respondent.

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ORIGINAL PROCEEDING  
(ODC 03-108-7708, 08-070-8713)

ORDER OF DISBARMENT

(By: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

Upon consideration of the Disciplinary Board's Report and Recommendation for the Disbarment of Gary N. Morikawa, the opening, answering, and reply briefs, and the testimony and exhibits in the record, we adopt the Disciplinary Board's Report and Recommendation for disbarment. We find no merit in Respondent Morikawa's challenges to numerous findings and conclusions, and the recommended discipline. The findings and conclusions are supported by clear and convincing evidence that Respondent practiced while suspended pursuant to Rule 2.12A of the Rules of the Supreme Court of the State of Hawai'i, did not timely provide clients' documents to the clients, did not keep required accounting records or properly account for them, misappropriated clients' funds, filed false certifications with regard to accounting records, failed to disclose his Rule 2.12A suspension to clients, failed to cooperate with investigations, submitted false evidence, and engaged in other misconduct in multiple violations of Rules 1.4(a) [5 times], 1.4(b) [5 times], 1.5(a), 1.6(a), 1.7(b), 1.8(h), 1.15(a) (1) [3 times], 1.15(c) [9 times], 1.15(d) [3 times], 1.15(f) (3) [6 times], 1.15(g) (2) [3 times], 1.15(h) [3 times], 1.16(a) (1), 1.16(d) [4 times], 3.4(e) [5 times], 5.5(a), 8.1(a), 8.1(b), 8.4(a) [32 times], 8.4(c) [7

times], and 8.4(d) of the Hawai'i Rules of Professional Conduct. Therefore,

IT IS HEREBY ORDERED that Respondent Gary N. Morikawa is disbarred from the practice of law in this jurisdiction. In that Morikawa is currently suspended pursuant to Rule 2.12A, this order is effective immediately.

IT IS FURTHER ORDERED that Respondent Morikawa shall pay all costs of this proceeding.

DATED: Honolulu, Hawai'i, July 19, 2010.