

NO. 30038

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

CURTIS T. NARIMATSU, Respondent.

ORIGINAL PROCEEDING

(ODC 07-157-8617, 07-158-8618, 07-159-8619, 08-061-8704,
08-069-8712, 09-005-8728, 09-006-8729, 09-007-8730, 09-010-8733,
09-052-8775, 09-053-8776, 09-054-8777, 09-055-8778, 09-056-8779,
09-057-8780, 09-058-8781, 09-060-8783, 09-061-8784, 09-062-8785)

ORDER ALLOWING RESIGNATION IN LIEU OF DISCIPLINE

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

Upon consideration of the Office of Disciplinary Counsel's "Petition for Order Granting Request of Curtis T. Narimatsu to Resign From the Practice of Law in Lieu of Discipline" and the memorandum, affidavits, and exhibits in support thereof, it appears the Petition is supported by Respondent Narimatsu's affidavit, and the affidavit meets the requirements of Rule 2.14(a) of the Rules of the Supreme Court of the State of Hawai'i (RSCH). In sum, Narimatsu admits to multiple instances in which he neglected or abandoned his clients, misappropriated the money paid to him, failed to maintain required and properly labeled accounts or render appropriate accountings, failed to surrender client papers and property, engaged in conduct involving dishonesty, fraud, deceit and misrepresentation, and failed to cooperate with disciplinary investigations, in violation of Rules 1.1, 1.3, 1.4, 1.15, 1.16, 3.4, and 8.4 of the Hawai'i Rules of Professional Conduct. It further appears that Respondent Narimatsu is currently on interim

suspension, has no practice to close, and the resignation should be effective immediately, notwithstanding the provisions of Rule 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i. It further appears that Respondent Narimatsu's behavior included multiple acts of misappropriation and that any reinstatement must be predicated upon full restitution of all misappropriated money. Therefore,

IT IS HEREBY ORDERED, pursuant to Rule 2.14 of the Rules of the Supreme Court of the State of Hawai'i, that the petition is granted, and Respondent Curtis T. Narimatsu's request to resign in lieu of discipline is granted, effective immediately.

IT IS FURTHER ORDERED that any reinstatement is conditioned upon proof that Respondent Narimatsu has made full restitution of all misappropriated monies.

IT IS FURTHER ORDERED that (1) the Clerk shall remove Respondent Curtis T. Narimatsu's name from the role of attorneys licensed to practice law in this jurisdiction and (2) within thirty (30) days after entry of this order, Respondent Narimatsu shall submit to the Clerk of this court the original certificate evidencing his license to practice law in this jurisdiction.

IT IS FURTHER ORDERED that (1) Respondent Narimatsu shall comply with the requirements of RSCH Rule 2.16 and (2) the Disciplinary Board shall provide notice to the judges as required by RSCH Rule 2.16(f), but Respondent Narimatsu having been on interim suspension since September 22, 2009, the Disciplinary Board need not publish the notice of disbarment that would otherwise have been required by RSCH Rule 2.16(e).

IT IS FINALLY ORDERED that Respondent Narimatsu shall pay to the Disciplinary Board all costs associated with these proceedings.

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