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Supreme Court
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IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Amendment
of the
RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I

ORDER AMENDING RULE 28 OF THE
RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I
(By: Recktenwald, C.J., Nakayama, Acoba, and Duffy, JJ., and
Intermediate Court of Appeals Chief Judge Nakamura,
assigned by reason of vacancy)

IT IS HEREBY ORDERED that Rule 28 of the Rules of the
District Court of the State of Hawai'i is amended, effective
January 1, 2011, as follows (new material is underscored):

Rule 28. DISMISSAL FOR WANT OF SERVICE.

A diligent effort to effect service shall be made in all actions. An action or claim may be dismissed sua sponte with written notice to the plaintiff if no service is made within [6] 12 months after the action or claim has been filed. Such dismissal may be set aside and the action or claim reinstated by order of the court for good cause shown upon motion duly filed not later than 10 days from the date of the order of dismissal.

DATED: Honolulu, Hawai'i, November 1, 2010.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Craig H. Nakamura

