

**MOTION TO SET ASIDE  DEFAULT  JUDGMENT  
OR  DISMISSAL; DECLARATION; NOTICE OF MOTION;  
CERTIFICATE OF SERVICE**

TWO-SIDED FORM  
Form #3DC42

IN THE DISTRICT COURT OF THE THIRD CIRCUIT _____ DIVISION STATE OF HAWAI'I	
Plaintiff	Reserved for Court Use
	Civil No.
Defendant	Filing Party/Attorney Name, Attorney Number, Firm Name (if applicable), Address, Telephone Number and Email
	Date of Default, Judgment or Dismissal entered:

**MOTION TO SET ASIDE  DEFAULT  JUDGMENT or  DISMISSAL**

Filing Party requests that this Motion be set for hearing on a date and time certain. This Motion is based on the Declaration below and is made pursuant to the District Court Rules of Civil Procedure, Rule \_\_\_\_\_.

**DECLARATION**

I have read this Motion, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAI'I THAT THE FOLLOWING IS TRUE AND CORRECT:**

1. I am the  Movant or  associated with Movant as \_\_\_\_\_;
2. The following are facts why the Motion should be granted (attach continuation page, if necessary);

Date:	Signature of Declarant:
	Print/Type Name:

**NOTICE OF MOTION**

TO: \_\_\_\_\_:

Please take notice that this Motion will be heard by the District Judge of this Court, in the Courtroom, at the address checked below on \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_M., or as soon thereafter as parties may be heard.

**COURT ADDRESSES**

- North & South Hilo Division,
- Puna Division,
- North & South Kona Division
- Ka'ū Division
- South Kohala Division
- Hāmākua Division
- North Kohala Division

777 Kīlauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i  
 777 Kīlauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i  
 74-5451 Kamaka'eha Ave., Kailua-Kona, Hawai'i  
 74-5451 Kamaka'eha Ave., Kailua-Kona, Hawai'i  
 67-5187 Kamāmalu St., Kamuela, Hawai'i  
 67-5187 Kamāmalu St., Kamuela, Hawai'i  
 67-5187 Kamāmalu St., Kamuela, Hawai'i

Mailing address for the above Courts: 777 Kīlauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i 96720; 74-5451 Kamaka'eha Ave., Kailua-Kona, Hawai'i 96740; 67-5187 Kamāmalu St., Kamuela, Hawai'i 96743

**CERTIFICATE OF SERVICE**

I certify that on (date): \_\_\_\_\_ I served a copy of this Motion on all parties or their attorneys by

Hand-delivery or  Mail, addressed as follows:

Signature of Filing Party/Attorney:

Date:

Print/Type Name:

**RESPONSE TO MOTION/CERTIFICATE OF SERVICE**

- I DO NOT OBJECT to this Motion.
- I DISAGREE with this Motion for the following reasons:

Reserved for Court Use

I have read this Response, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE ABOVE IS TRUE AND CORRECT.**

**CERTIFICATE OF SERVICE**

I certify that on (date): \_\_\_\_\_ I served a copy of this Response to the Motion on all parties or their attorneys by  Hand-delivery or  Mail, addressed as follows:

Signature of Responding Party/Attorney:

Date:

Print/Type Name:

**Americans with Disabilities Act Notice**



If you need an accommodation for a disability when participating in a court program, service or activity, please contact the ADA Coordinator as soon as possible to allow the court time to provide an accommodation:

- Call (808) 961-7629, FAX (808) 961-7577, or
- Send an email to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov)

The court will try to provide, but cannot guarantee, your requested auxiliary aid, service or accommodation.