

NO. 30479

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LILLIAN M. JONES, M.D.,
Plaintiff/Counterclaim Defendant-Appellant,
v.
HAWAII RESIDENCY PROGRAMS, INC.,
Defendant/Counterclaimant-Appellee,
and
UNIVERSITY OF HAWAII; NALEEN ANDRADE, M.D.,;
COURTENAY MATSU, M.D.; D. CHRISTIAN DERAUF, M.D.;
TERRY LEE, M.D.; and IQBAL AHMED, M.D.,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-0071)

SUMMARY DISPOSITION ORDER

(By: Foley, Presiding J., Fujise and Leonard, JJ.)

Plaintiff/Counterclaim-Defendant-Appellant Lillian M. Jones, M.D., (Jones) appeals pro se from the Final Judgment filed on May 17, 2010 in the Circuit Court of the First Circuit¹ (circuit court). The circuit court entered judgment in favor of Defendant/Counterclaimant-Appellee Hawaii Residency Programs, Inc. (HRP), Defendant-Appellee University of Hawaii (UH), and

¹ The Honorable Rhonda A. Nishimura presided.

Defendants-Appellees Naleen Andrade, M.D. (Dr. Andrade), Courtenay Matsu, M.D. (Dr. Matsu), and D. Christian Derauf, M.D. (collectively, Individual Defendants), and against Jones as to all asserted claims. All other claims by or against any party were dismissed with prejudice.²

On appeal, Jones contends the circuit court erred when it

(A) dismissed Dr. Andrade and Dr. Matsu in their individual capacities because they intentionally and maliciously sabotaged Jones's career and acted for their own personal benefit;

(B) determined that any claims for events that occurred prior to the January 13, 2005 contract expiration date were barred by the statute of limitations;

(C) dismissed Jones's Intentional Infliction of Emotional Distress claim;

(D) dismissed Jones's claims of Intentional Interference of Contractual Relations and Prospective Economic Advantage, which also prematurely dismissed HRP from the case;

(E) granted summary judgment to UH based on the false premise that Jones was not in a contractual relationship with UH and that HRP was an entity separate from UH; and

(F) held a bench trial when Jones had requested a jury trial.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, as well as the relevant statutory and case law, we conclude that Jones's points of error and this appeal have no merit.

Therefore,

² Jones also filed her complaint against Terry Lee, M.D. (Dr. Lee) and Iqbal Ahmed, M.D. (Dr. Ahmed), but did not allege a cause of action against either of them in her Complaint, Revised Complaint, or Amended Complaint. Jones served Dr. Lee with the Revised Complaint, but Dr. Lee did not file an answer. No proof of service upon Dr. Ahmed appears in the record.

IT IS HEREBY ORDERED that the Final Judgment filed on May 17, 2010 in the Circuit Court of the First Circuit is affirmed.

DATED: Honolulu, Hawai'i, November 14, 2011.

On the briefs:

Lillian M. Jones, M.D.,
Plaintiff/Counterclaim
Defendant-Appellant pro se.

Presiding Judge

Ryan M. Akamine
Christine F. Tamashiro,
Associate General Counsels,
for Defendant-Appellee
University of Hawai'i.

Associate Judge

Corlis J. Chang
Kimberly J. Koide
(Goodsill Anderson Quinn &
Stifel)
for Defendant/Counterclaimant-
Appellee Hawaii Residency
Programs, Inc., and Defendants-
Appellees Naleen Andrade, M.D.;
Courtenay Matsu, M.D.; and
D. Christian Derauf, M.D.

Associate Judge