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Intermediate Court of Appeals  
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NO. CAAP-14-0001208

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

JOHN ROE 2, Plaintiff/Appellee,  
v.  
CATHOLIC FOREIGN MISSION SOCIETY OF AMERICA, INC.,  
AKA MARYKNOLL FATHERS AND BROTHERS and ROMAN CATHOLIC  
CHURCH IN THE STATE OF HAWAI'I, a Hawai'i not for profit  
corporation, Defendants/Appellees,  
and  
FATHER WALTER JOHNSON, Non-Party/Appellant,  
and  
SOCIETY OF THE PRIESTS OF SAINT SULPICE  
a/k/a THE ASSOCIATED SULPICIANs OF THE UNITED  
STATES, INC., JOHN DOE INDIVIDUALS, CORPORATIONS  
PARTNERSHIPS and GOVERNMENTAL AGENCIES 1-100, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 12-1-1637)

SUMMARY DISPOSITION ORDER

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

Non-Party/Appellant, Father Walter Johnson appeals an August 29, 2014 "Order Denying Non-Party Father Walter Johnson's Motion to Intervene and For Protective Order Filed August 29, 2014," entered in the Circuit Court of the First Circuit<sup>1</sup> (**circuit court**).

Johnson sought to intervene in this case to seek a protective order that would prevent his employment records from being produced through discovery. Johnson argued his interest in nondisclosure of his employment records was not adequately

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<sup>1</sup> The Honorable Edwin C. Nacino presided.

represented by defendants and disclosure of his records would violate his right to privacy under article I, section 6 of the Hawaii Constitution.

In addition to filing this appeal, Johnson filed a petition for writ of mandamus (**Petition**) with the Hawai'i Supreme Court on October 1, 2014, seeking the nondisclosure of his employment records. On March 18, 2015, the supreme court issued an order denying Johnson's Petition on the grounds that he failed "to demonstrate that disclosure of the requested documents pursuant to the protective order issued by the Discovery Master violates article I, section 6 of the Hawai'i Constitution." Moreover, a stay on disclosure issued by the supreme court was thereby lifted upon the denial of Johnson's Petition.

This ruling of the Hawai'i Supreme Court thus moots this appeal.

Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed as moot.

DATED: Honolulu, Hawai'i, August 14, 2015.

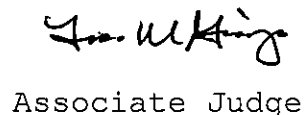
On the briefs:

Melvyn M. Miyagi  
Ross T. Shinyama  
(Watanabe Ing)  
for Non-Party/Appellant.

Mark F. Gallagher  
for Plaintiff/Appellee.

  
Presiding Judge

  
Associate Judge

  
Associate Judge