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SCPW-14-000859

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MICHAEL G.M. OSTENDORP, Petitioner,

vs.

THE OFFICE OF DISCIPLINARY COUNSEL, ACTING CHIEF DISCIPLINARY  
COUNSEL CHARLENE M. NORRIS, Respondent.

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ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the May 30, 2014 petition for a writ of prohibition submitted by Petitioner attorney Michael G.M. Ostendorp, this court notes the passage of time between the initial complaints and the present but, upon a review of the record, anticipates their timely resolution, and concludes nothing in the petition or the attached exhibits supports the conclusion that the Office of Disciplinary Counsel has violated a duty owed this court, or abused the discretion delegated to it by this court to investigate the allegations of misconduct lodged against the

Petitioner. See *Breiner v. Sunderland*, 112 Haw. 60, 64-65, 143 P.3d 1262, 1266-67 (2006); *In re Disciplinary Bd. of the Hawai'i Supreme Court*, 91 Hawai'i 363, 368-71, 984 P.2d 688, 693-96 (1999); *Akinaka v. Disciplinary Bd. of the Hawai'i Supreme Court*, 91 Hawai'i 51, 57, 979 P.2d 1077, 1083 (1999). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is denied, without prejudice to the Petitioner, in his discretion, filing a protective order with the appropriate party, pursuant to Rule 12(c) of the Rules of the Disciplinary Board with regards to his medical records.

DATED: Honolulu, Hawai'i, June 13, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

