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SCPW-19-0000035

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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LEONARD G. HOROWITZ and SHERRI KANE,  
Petitioners/Complainants,

vs.

BRADLEY R. TAMM, as Executive Director of the  
Office of Disciplinary Counsel; and  
BRADLEY R. TAMM, LLC, Respondents.

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ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Nakayama, Acting C.J., McKenna and Wilson, JJ., and  
Circuit Judge Ashford, in place of Recktenwald, C.J., recused,  
and Circuit Judge Wong, in place of Pollack, J., recused)

Upon consideration of petitioners Leonard G. Horowitz and Sherri Kane's complaint against Bradley Tamm, Chief Disciplinary Counsel for the Office of Disciplinary Counsel, filed on December 14, 2018 (which this court construes as a petition for writ of mandamus), the documents submitted in support thereof, and the record, it appears that petitioners fail to demonstrate that they have a clear and indisputable right to the requested relief or that they lack alternative means to seek relief. Petitioners are not entitled to a writ of mandamus. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999) (a writ of mandamus is an extraordinary

remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action). Accordingly,

IT IS HEREBY ORDERED that the petition for writ of mandamus is denied.

DATED: Honolulu, Hawai'i, February 21, 2019.

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Paul B. K. Wong

/s/ James H. Ashford

