

**Electronically Filed
Supreme Court
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SCPR-19-0000363

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

MICHAEL O. YAMAMOTO,
Respondent.

ORIGINAL PROCEEDING
(ODC 19-0062)

ORDER ALLOWING RESIGNATION IN LIEU OF DISCIPLINE

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

Upon consideration of the petition submitted by the Office of Disciplinary Counsel, with the approval of the Disciplinary Board of the Hawai'i Supreme Court, for an order granting the request of attorney Michael O. Yamamoto to resign from the practice of law in lieu of discipline, and the affidavit attached in support thereof, we find Respondent Yamamoto's affidavit meets the requirements of Rule 2.14(a) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), and find Respondent Yamamoto avers and admits to misconduct that we conclude represents serious violations of Rules 1.15(a) and

8.4(c) (2014). We conclude this misconduct justifies granting the petition. Therefore,

IT IS HEREBY ORDERED that the petition to resign in lieu of discipline is granted. The resignation shall become effective 30 days after the date of this order, pursuant to RSCH Rules 2.14(d) and 2.16(c).

IT IS FURTHER ORDERED that the Clerk of this court shall remove Michael O. Yamamoto's name from the role of attorneys licensed to practice law in this jurisdiction and, within thirty days after entry of this order, Respondent Yamamoto shall submit to the Clerk the original certificate evidencing his license to practice law in this jurisdiction or an affidavit establishing good cause for his failure to do so.

IT IS FURTHER ORDERED that Respondent Yamamoto shall comply with the requirements of RSCH Rule 2.16 governing disbarred attorneys, the Disciplinary Board of the Supreme Court of the State of Hawai'i shall provide notice of the disbarment as required by RSCH Rule 2.16(e), and the Clerk shall provide notice to all state judges, pursuant to RSCH Rule 2.16(f).

IT IS FURTHER ORDERED that Respondent Yamamoto shall pay the costs of ODC's investigation and any preliminary disciplinary proceedings upon the timely submission by ODC of a verified bill of costs, as authorized by RSCH Rule 2.3(c).

IT IS FINALLY ORDERED that this court reserves jurisdiction to determine, based upon subsequent submission of documentary evidence from the parties, the final amount due in restitution, which shall be paid in full as a precondition for any future petition for reinstatement from Respondent Yamamoto.

DATED: Honolulu, Hawai'i, May 6, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

