

NO. CAAP-19-0000815

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

GABRIELLE LONGHI, CO-TRUSTEE OF THE ROBERT J. LONGHI REVOCABLE
TRUST DATED MAY 30, 1995, AS AMENDED, Plaintiff-Appellant, v.
MIMI HU and LEVIN & HU, LLP, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 17-1-0196(1))

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Leonard, Presiding Judge, Chan and Wadsworth, JJ.)

Upon review of the record, it appears that we lack appellate jurisdiction over this appeal by Plaintiff-Appellant Gabrielle Longhi, Co-Trustee of the Robert J. Longhi Revocable Trust Dated May 30, 1995, as Amended (**Longhi**), from the Honorable Rhonda I.L. Loo's (1) October 21, 2019 order granting in part and denying in part Defendants-Appellees Mimi Hu and Levin & Hu, LLP's (the **Hu Defendants**) motion for sanctions and disqualification of Longhi's counsel, the law firm of Bronster Fujichaku Robbins (**BFR**), and (2) December 13, 2019 order awarding attorneys fees and costs in favor of the Hu Defendants and against BFR (collectively, the **Sanctions Orders**).

We lack appellate jurisdiction to review the Sanctions Orders under the circumstance of this appeal, because the aggrieved party, BFR, is not a named party, i.e., the appellant, in the notice of appeal and the amended notice of appeal. See Gold v. Harrison, 88 Hawai'i 94, 104, 962 P.2d 353, 363 (1998)

("Accordingly, we hold that, on appeal, in a case where an attorney has been sanctioned pursuant to HRCF Rule 11, the attorney must be named as a party in the notice of appeal in order for this court to have the jurisdiction to address the circuit court's imposition of HRCF Rule 11 sanctions against the attorney."); State Farm Fire & Cas. Co. v. Pacific Rent-All, Inc., 90 Hawai'i 315, 321 n.4, 978 P.2d 753, 759 n.4 (1999) ("[B]ecause the award took the form of attorney sanctions, it would have been improper to raise the issue here, unless the attorney were named as a party in the notice of appeal.")

Therefore, IT IS HEREBY ORDERED that appellate court case number CAAP-19-0000815 is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, June 30, 2020.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Derrick H.M. Chan
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge