

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000112
21-MAR-2025
08:10 AM
Dkt. 74 ORD**

NO. CAAP-22-0000112

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE OF
J.P. MORGAN ALTERNATIVE LOAN TRUST 2006-A7,
Plaintiff-Appellee,

v.

MARK ALLEN MCMILLAN, INDIVIDUALLY AND TRUSTEE FOR THE
MCMILLAN ESTATE TRUST, AN IRREVOCABLE TRUST ESTATE
DATED MARCH 13, 2011 also known as MARK ALLEN MCMILLAN,
TRUSTEE FOR THE MCMILLAN ESTATE TRUST,
Defendant-Appellant,

and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS
NOMINEE FOR MORTGAGEIT, INC.; UNITED STATES OF AMERICA;
STATE OF HAWAII - DEPARTMENT OF TAXATION; EDWARD HAUSMAN;
LORRAINE SILVA-HAUSMAN; THE PRINCIPALITY OF ALOHA;
CROWN LAND ESTATE OF KAUIKEAOULI PROBATE ESTATE 2410
also known as THE CROWN ESTATE OF KING KAUIKEAOULI P-2410,
A ROYAL PROBATE TRUST ESTATE RECEIVED IN ACCOMMODATION
BY TRUSTEE, KAILINAMOIWALE PAIEA; INTERNATIONAL MONETARY FUND,
Defendants-Appellees,

and

JOHN and MARY DOES 1-20; DOE PARTNERSHIPS, CORPORATIONS OR
OTHER ENTITIES 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CASE NO. 2CC171000387)

ORDER WITHDRAWING SUMMARY DISPOSITION ORDER

(By: Hiraoka, Presiding Judge, Nakasone and McCullen, JJ.)

Upon review of the Notice filed by Mark Allen **McMillan**
on March 13, 2025, it appears that McMillan filed another
petition for relief under Chapter 13 of the United States

Bankruptcy Code (11 U.S.C. § 101 et seq.) on March 11, 2025, triggering the automatic stay provisions of 11 U.S.C. § 362, and that **HSBC** Bank USA, National Association is identified on the creditor list, In re McMillan, No. 25-00218, United States Bankruptcy Court, District of Hawai'i, Dkt #3 (Mar. 11, 2025);

Therefore, IT IS HEREBY ORDERED that the Summary Disposition Order filed on March 13, 2025, is withdrawn.

IT IS HEREBY FURTHER ORDERED that within 7 days from the date of this order, Patricia J. McHenry or Lisa K. Swartzfager, counsel for HSBC, shall show cause, in the form of a declaration, affidavit, or other sworn statement, explaining why HSBC failed to immediately file a notice of McMillan's March 11, 2025 bankruptcy filing as required by Hawai'i Rules of Appellate Procedure Rule 54(b). Failure to timely respond to this order or to show good cause may result in monetary or other sanctions.

DATED: Honolulu, Hawai'i, March 21, 2025

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge