

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000060
11-JUL-2025
07:53 AM
Dkt. 96 ORD**

NO. CAAP-22-0000060

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER
THE POOLING AND SERVICING AGREEMENT DATED AS OF DECEMBER 1,
2006, GSAMP TRUST 2006-FM3, Plaintiff-Appellee,
v.

DALE SCOTT WINTERS; DALE SCOTT WINTERS, TRUSTEE UNDER THAT
CERTAIN UNRECORDED REVOCABLE LIVING TRUST DATED AUGUST 30, 1993,
MADE BY DALE SCOTT WINTERS, WITH FULL POWERS TO SELL, MORTGAGE,
LEASE OR OTHERWISE DEAL WITH THE LAND, AS TO AN UNDIVIDED 1/2
INTEREST; and DEPARTMENT OF TAXATION, STATE OF HAWAII,
Defendants-Appellees, and JOHN and MARY DOES 3-10, Defendants
and

EILEEN MARIE WINTERS; EILEEN MARIE WINTERS TRUSTEE UNDER THAT
CERTAIN UNRECORDED REVOCABLE LIVING TRUST DATED AUGUST 30, 1993,
MADE BY EILEEN MARIE WINTERS, WITH FULL POWERS TO SELL,
MORTGAGE, LEASE OR OTHERWISE DEAL WITH THE LAND,
AS TO AN UNDIVIDED 1/2 INTEREST, Defendant-Appellant

EILEEN MARIE WINTERS, TRUSTEE UNDER THAT CERTAIN UNRECORDED
REVOCABLE LIVING TRUST DATED AUGUST 30, 1993, MADE BY EILEEN
MARIE WINTERS, WITH FULL POWERS TO SELL, MORTGAGE, LEASE OR
OTHERWISE DEAL WITH THE LAND, AS TO AN UNDIVIDED 1/2 INTEREST,
Defendant/Counterclaimant-Appellant,
v.

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER
THE POOLING AND SERVICING AGREEMENT DATED AS OF DECEMBER 1,
2006, GSAMP TRUST 2006-FM3, Plaintiff/Counterclaim
Defendant-Appellee, and DOES 1-10, Counterclaim-Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5CC111000093)

ORDER GRANTING MOTION FOR PUBLICATION

(By: Nakasone, Chief Judge, Hiraoka and Wadsworth, JJ.)

Upon consideration of Defendant-Appellant Eileen Marie Winters' May 21, 2025 *Motion for Publication of the Court's Memorandum Opinion Filed May 19, 2025*, Deutsche Bank National Trust Company's May 28, 2025 response, and the record,

IT IS HEREBY ORDERED that the Motion for Publication is granted.

IT IS FURTHER ORDERED that (1) this court's May 19, 2025 Memorandum Opinion is rescinded; and (2) an opinion will be issued shortly.

DATED: Honolulu, Hawai'i, July 11, 2025.

/s/ Karen T. Nakasone
Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge