

## MINUTE ORDER

CASE NUMBER: CIVIL NO. 21-00243 LEK-RT

CASE NAME: Hawaiian Kingdom v. Joseph Robinette Biden, Jr. et al.

---

JUDGE: Leslie E. Kobayashi

DATE: 8/12/2022

---

COURT ACTION: EO: COURT ORDER TAKING UNDER ADVISEMENT PLAINTIFF'S MOTION TO CERTIFY FOR INTERLOCUTORY APPEAL THE JULY 28, 2022, ORDER [ECF 238] DENYING PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER GRANTING THE FEDERAL DEFENDANTS' CROSS-MOTION TO DISMISS THE FIRST AMENDED COMPLAINT [ECF 234], AND TO STAY PROCEEDINGS PENDING APPEAL

On January 14, 2022, Defendants the United States of America; Joseph Robinette Biden Jr., President of the United States; Kamala Harris, Vice-President of the United States; Admiral John Aquilino, Commander, U.S. Indo-Pacific Command; Charles P. Rettig, Commissioner of the Internal Revenue Service; Charles E. Schumer, U.S. Senate Majority Leader; and Nancy Pelosi, Speaker of the United States House of Representatives, (collectively "Federal Defendants") filed their Cross-Motion to Dismiss the First Amended Complaint. [Dkt. no. 188.] On June 9, 2022, the Court issued its Order Granting the Federal Defendants' Cross-Motion to Dismiss the First Amended Complaint ("6/9/22 Order"). [Dkt. no. 234.] On June 15, 2022, Plaintiff Hawaiian Kingdom ("Plaintiff") filed its Motion to Alter or Amend Order Granting the Federal Defendants' Cross-Motion to Dismiss the First Amended Complaint [ECF 234] ("Motion to Alter or Amend"). [Dkt. no. 235.] The Court denied the Motion to Alter or Amend in an entering order issued on July 28, 2022. [Dkt. no. 238.]

On August 5, 2022, Plaintiff filed its Motion to Certify for Interlocutory Appeal the July 28, 2022, Order [ECF 238] Denying Plaintiff's Motion to Alter or Amend Order Granting the Federal Defendants' Cross-Motion to Dismiss the First Amended Complaint [ECF 234], and to Stay Proceedings Pending Appeal ("Certification Motion"). [Dkt. no. 239.] Upon review, the Court concludes that no response to the Certification Motion is necessary. The Certification Motion is therefore taken under advisement and will be decided without a hearing, pursuant to Local Rule 7.1(c).

IT IS SO ORDERED.

Submitted by: Tammy Kimura, Courtroom Manager