

## MINUTE ORDER

CASE NUMBER: CIVIL NO. 21-00243 LEK-RT  
CASE NAME: Hawaiian Kingdom vs. Joseph Robinette Biden, Jr., et al.,

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JUDGE: Leslie E. Kobayashi                      DATE: 7/28/2022

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COURT ACTION: EO: COURT ORDER DENYING PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER GRANTING THE FEDERAL DEFENDANTS' CROSS-MOTION TO DISMISS THE FIRST AMENDED COMPLAINT [ECF 234]

On September 21, 2021, Defendants the United States of America; Joseph Robinette Biden Jr., President of the United States; Kamala Harris, Vice-President of the United States; 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"). [Dkt. no. 235.]

Although Plaintiff brings its Motion pursuant to Fed. R. Civ. P. 59(e), see Motion at 1, the Motion is best reviewed under the standard set forth for a motion for reconsideration of an interlocutory order because the 6/9/22 Order does not dispose of the entire case. See Local Rule 60.1 ("Motions seeking reconsideration of case-dispositive orders shall be governed by Fed. R. Civ. P. 59 or 60, as applicable."). "Motions for reconsideration of interlocutory orders may be brought only upon the following grounds: (a) Discovery of new material facts not previously available; (b) Intervening change in law; and/or (c) Manifest error of law or fact." Id.

Here, Plaintiff's Motion fails to identify any new material facts not previously available, an intervening change in law, or a manifest error of law or fact. Although Plaintiff argues there are manifest errors of law in the 6/9/22 Order, Plaintiff merely disagrees with the Court's decision. Plaintiff's mere disagreement, however, does not constitute grounds for reconsideration. See Fisher v. Kealoha, 49 F. Supp. 3d 727, 735 (D. Hawai'i 2014). Because Plaintiff has failed to establish any ground that warrants

reconsideration of the 6/9/22 Order, the Motion is DENIED.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager