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Attorney for Defendants
DAVID YUTAKA IGE, in his official capacity as
Governor of the State of Hawai‘i, TY NOHARA,
in her official capacity as Commissioner of Securities,
ISAAC W. CHOY, in his official capacity as the director
of the Department of Taxation of the State of Hawai‘i, and
STATE OF HAWAI‘I

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI‘I

HAWAIIAN KINGDOM,

Plaintiff,

vs.

JOSEPH ROBINETTE BIDEN JR.,
in his official capacity as President of
the United States; KAMALA
HARRIS, in her official capacity as
Vice-President and President of the
United States Senate; ADMIRAL
JOHN AQUILINO, in his official
capacity as Commander, U.S. Indo-
Pacific Command; CHARLES P.

CIVIL NO. 21-00243 LEK-RT

DEFENDANTS DAVID YUTAKA
IGE, in his official capacity as
Governor of the State of Hawaii, TY
NOHARA, in her official capacity as
Commissioner of Securities, ISAAC
W. CHOY, in his official capacity as
the director of the Department of
Taxation of the State of Hawaii, and
STATE OF HAWAII’S MOTION TO
VACATE DEFAULTS AGAINST
THEM, ENTERED ON JANUARY
19, 2022 [ECF 197, 200, 198, 199 and
RESPECTIVELY];

RETTIG, in his official capacity as Commissioner of the Internal Revenue Service; JANE HARDY, in her official capacity as Australia's Consul General to Hawai'i and the United Kingdom's Consul to Hawai'i; JOHANN URSCHITZ, in his official capacity as Austria's Honorary Consul to Hawai'i; M. JAN RUMI, in his official capacity as Bangladesh's Honorary Consul to Hawai'i and Morocco's Honorary Consul to Hawai'i; JEFFREY DANIEL LAU, in his official capacity as Belgium's Honorary Consul to Hawai'i; ERIC G. CRISPIN, in his official capacity as Brazil's Honorary Consul to Hawai'i; GLADYS VERNOY, in her official capacity as Chile's Honorary Consul General to Hawai'i; JOSEF SMYCEK, in his official capacity as the Czech Republic's Deputy Consul General for Los Angeles that oversees the Honorary Consulate in Hawai'i; BENNY MADSEN, in his official capacity as Denmark's Honorary Consul to Hawai'i; KATJA SILVERAA, in her official capacity as Finland's Honorary Consul to Hawai'i; GUILLAUME MAMAN, in his official capacity as France's Honorary Consul to Hawai'i; DENIS SALLE, in his official capacity as Germany's Honorary Consul to Hawai'i; KATALIN CSISZAR, in her official capacity as Hungary's Honorary Consul to Hawai'i; SHEILA WATUMULL, in her official capacity as India's Honorary Consul to Hawai'i; MICHELE

MEMORANDUM IN SUPPORT OF MOTION; DECLARATION OF MARIE MANUELE GAVIGAN; CERTIFICATE OF SERVICE

No Trial Date Set

CARBONE, in his official capacity as Italy's Honorary Consul to Hawai'i; YUTAKA AOKI, in his official capacity as Japan's Consul General to Hawai'i; JEAN-CLAUDE DRUI, in his official capacity as Luxembourg's Honorary Consul to Hawai'i; ANDREW M. KLUGER, in his official capacity as Mexico's Honorary Consul to Hawai'i; HENK ROGERS, in his official capacity as Netherland's Honorary Consul to Hawai'i; KEVIN BURNETT, in his official capacity as New Zealand's Consul General to Hawai'i; NINA HAMRE FASI, in her official capacity as Norway's Honorary Consul to Hawai'i; JOSELITO A. JIMENO, in his official capacity as the Philippines's Consul General to Hawai'i; BOZENA ANNA JARNOT, in her official capacity as Poland's Honorary Consul to Hawai'i; TYLER DOS SANTOS-TAM, in his official capacity as Portugal's Honorary Consul to Hawai'i; R.J. ZLATOPER, in his official capacity as Slovenia's Honorary Consul to Hawai'i; HONG, SEOK-IN, in his official capacity as the Republic of South Korea's Consul General to Hawai'i; JOHN HENRY FELIX, in his official capacity as Spain's Honorary Consul to Hawai'i; BEDE DHAMMIKA COORAY, in his official capacity as Sri Lanka's Honorary Consul to Hawai'i; ANDERS G.O. NERVELL, in his official capacity as Sweden's Honorary Consul to Hawai'i; THERES RYF DESAI, in her official

capacity as Switzerland's Honorary Consul to Hawai'i; COLIN T. MIYABARA, in his official capacity as Thailand's Honorary Consul to Hawai'i; DAVID YUTAKA IGE, in his official capacity as Governor of the State of Hawai'i; TY NOHARA, in her official capacity as Commissioner of Securities; ISAAC W. CHOY, in his official capacity as the director of the Department of Taxation of the State of Hawai'i; CHARLES E. SCHUMER, in his official capacity as U.S. Senate Majority Leader; NANCY PELOSI, in her official capacity as Speaker of the United States House of Representatives; RON KOUCHI, in his official capacity as Senate President of the State of Hawai'i; SCOTT SAIKI, in his official capacity as Speaker of the House of Representatives of the State of Hawai'i; the UNITED STATES OF AMERICA; and the STATE OF HAWAI'I,

Defendants.

DEFENDANTS DAVID YUTAKA IGE, in his official capacity as Governor of the State of Hawai‘i, TY NOHARA, in her official capacity as Commissioner of Securities, ISAAC W. CHOY, in his official capacity as the director of the Department of Taxation of the State of Hawai‘i, and STATE OF HAWAII’S MOTION TO VACATE DEFAULTS AGAINST THEM, ENTERED ON JANUARY 19, 2022 [ECF 197, 200, 198, and 199 RESPECTIVELY]

Defendants, DAVID YUTAKA IGE, in his official capacity as Governor of the State of Hawai‘i, TY NOHARA, in her official capacity as Commissioner of Securities, ISAAC W. CHOY, in his official capacity as the director of the Department of Taxation of the State of Hawai‘i, and STATE OF HAWAII‘I (hereinafter “State Defendants”), by and through their attorneys, Attorney General Holly T. Shikada, and Deputy Attorney General Amanda J. Weston, hereby move this Honorable Court for an Order vacating the defaults against them, entered on January 19, 2022 [ECF 197, 200, 198, and 199 respectively].

This motion is brought pursuant to Rules 7 and 55(c) of the Federal Rules of Civil Procedure, and is supported by the attached Memorandum In Support of Motion, the Declaration of Marie Manuele Gavigan, and the record and files in this case.

Certification Pursuant to Local Rule 7.8

This motion is made following the conference of counsel pursuant to LR 7.8. This conference took place on July 28, 2022, with a follow-up email on July 29, 2022. In the conference, the State Defendants asked if Plaintiff would be willing to vacate the defaults entered against them, but Plaintiff would not agree.

DATED: Honolulu, Hawai'i, August 12, 2022.

HOLLY T. SHIKADA
Attorney General

By: /s/ Amanda J. Weston
AMANDA J. WESTON
Deputy Attorney General

Attorneys for Defendants
DAVID YUTAKA IGE, in his
official capacity as Governor of the
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