

August 16, 2007 (“Motion”) having been presented to the Honorable Sabrina S. McKenna on September 5, 2007 at 9:00 a.m., with Karin L. Holma and Jonathan S. Moore appearing for Defendant Hawaii Escrow & Title Cynthia Nakamura, individually and on behalf of all others similarly situated, and John Francis Perkin and Brandee J.K. Faria appearing for Plaintiff.

Having carefully read and considered all of the relevant evidence and memoranda presented, having heard and considered the oral arguments of counsel, and good cause appearing therefore, the Court hereby finds that (1) the occurrence rule applies to alleged injuries under H.R.S. § 480-2; (2) that Cynthia Nakamura’s alleged injury occurred in January 2004 when her mortgage release was recorded by the mortgage lender; and (3) that the four-year limitation period applicable to claims under H.R.S. § 480-2 does not bar Cynthia Nakamura’s claim in this case. Accordingly the Court ORDERS that said Motion is DENIED.

DATED: Honolulu, Hawaii, _____.

SABRINA S. MCKENNA
Judge of the Above-Entitled Court

Cynthia Nakamura, et al., Defendant, v. Hawaii Escrow & Title, Inc., et al., Plaintiff,
Civil No. 07-1-0730-04 (SSM); Amended Order Denying Defendant Hawaii Escrow &
Title, Inc.’s Motion For Summary Judgment On Plaintiff’s Unfair And Deceptive Trade
Practices Claim