

ORIGINAL

STATE OF HAWAII

DEPARTMENT OF THE ATTORNEY GENERAL

MARK J. BENNETT
ATTORNEY GENERAL,

Petitioner,

vs.

BRYAN C. HENRY, dba
ISLAND PRINTING & PUBLISHING,

Respondent.

Docket No. 2005-1

ATTORNEY GENERAL'S FINAL
DECISION AND ORDER; EXHIBIT
"A"; CERTIFICATE OF SERVICE

ATTORNEY GENERAL'S FINAL DECISION AND ORDER

On or about March 17, 2006, the duly appointed Presiding Officer submitted his Recommended Order in the above-captioned matter to the Attorney General and to the parties. The parties were subsequently provided an opportunity to file exceptions; however, no exceptions were filed.

A copy of the Presiding Officer's Recommended Order was served upon Deputy Attorney General Hugh Jones, attorney for the Petitioner, via certified mail on March 20, 2006. A copy of the Presiding Officer's Recommended Order was mailed to both the Respondent, at both his business address set forth in his registration filed under Hawaii Revised Statutes § 467B-12, i.e., 1154 Fort Street, Suite 307, Honolulu Hawaii address and to his 1164 Bishop

I do hereby certify that this is a full, true, and correct copy
of the original on file in this office.



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Street, Suite 124, Honolulu, Hawaii address, and to Thomas P. Dunn, Esq., Respondent's attorney of record (who demanded the hearing) via certified mail; all of these copies were returned unclaimed.

Thereafter, Petitioner's attorney having provided the Presiding Officer with an address for the Respondent at 8401 Spain Road NE # 27C, Albuquerque, New Mexico, a copy of the Presiding Officer's Recommended Order then was mailed on April 12, 2006, to that address via certified mail; this copy was returned unclaimed. Yet again Petitioner's attorney provided the Presiding Officer with an address for the Respondent at 40 Hampshire Drive, Chico, California 95926 and a copy of the Presiding Officer's Recommended Order then was mailed via regular mail on May 25, 2006 to the Respondent, at that address. Thereafter, the Presiding Officer received a declaration from Hugh Jones, attorney for Petitioner, stating, *inter alia*, that he had received a phone call from the Respondent on May 30, 2006, acknowledging receipt of the Presiding Officer's Recommended Order. Despite Respondent's receipt of the Recommended Order, Respondent filed no exceptions in this matter.

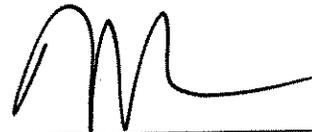
Upon review of the entire record of these proceedings, the Attorney General fully adopts the Presiding Officer's

findings of fact, conclusions of law, and Recommended Order as the Attorney General's Final Decision and Order. A copy of that Recommended Order is attached hereto as Exhibit "A". Accordingly, the Attorney General finds and concludes that the Respondent committed eighteen violations of various statutes involving Hawaii Revised Statutes ("HRS") §§ 467B-2.5(c), 467B-9(d)(2), 467B-9(e), 467B-9(g), 467B-9(i), 467B-9(k), 467B-12.5(a)(2), and 467B-12.5(a)(7) as further detailed in the Recommended Order.

Accordingly, the Attorney General hereby:

1. Revokes Respondent's professional solicitor registration pursuant to Haw. Rev. Stat. § 467B-9.7(a); and
2. In accordance with Haw. Rev. Stat. § 467B-9.7(b), imposes administrative penalties, to wit, \$1,000 for each of the eighteen violations, in the total amount of \$18,000, to be paid within thirty (30) days of this final decision and order by sending a certified check or money order payable to the State of Hawaii to the Attorney General, 425 Queen Street, Honolulu, Hawaii 96813.

DATED: Honolulu, Hawaii, July ____, 2006.



MARK J. BENNETT
Attorney General

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ECONOMIC DEV. DIV.

STATE OF HAWAII

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DEPARTMENT OF THE ATTORNEY GENERAL

MARK J. BENNETT
ATTORNEY GENERAL,

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BRYAN C. HENRY, dba
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Respondent.

Docket No. 2005-1

PRESIDING OFFICER'S RECOMMENDED
ORDER; CERTIFICATE OF SERVICE

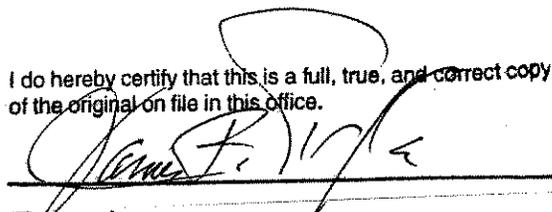
PRESIDING OFFICER'S RECOMMENDED ORDER

I. HISTORICAL BACKGROUND.

On October 5, 2005, Petitioner Mark J. Bennett, Attorney General ("Petitioner") prepared a document entitled Notice of Violations and Revocation of Professional Solicitor Registration of Bryan C. Henry, dba Island Printing and Publishing ("Respondent"). That document, *inter alia*, alleged that the Respondent violated various statutory provisions, imposed certain fines, and revoked the Respondent's professional solicitor registration, unless the Respondent requested a Hawaii Revised Statutes, chapter 91 hearing to contest the allegations.

On October 12, 2005, Respondent, through his attorney, requested a hearing on the allegations in the notice of violations document.

I do hereby certify that this is a full, true, and correct copy
of the original on file in this office.



On or about October 28, 2005, the Petitioner appointed James F. Nagle, Deputy Attorney General, as the Presiding Officer, gave notice of administrative hearing to be held on November 28, 2005, gave notice of a pre-hearing conference to be held on November 3, 2005, and attached the foregoing notice of violations. Respondent and his attorney Thomas P. Dunn were served with a copy of that notice by certified mail.

On or about November 2, 2005, the parties entered into a Consent Agreement and Order (Consent Agreement) and the pre-hearing and the hearing were canceled. However, on February 2, 2005, the Presiding Officer received notification from Deputy Attorney General Hugh Jones that the Respondent had failed to make certain required payments pursuant to the Consent Agreement, i.e., the Respondent failed to make the installment payments required by paragraph 19 of the Consent Agreement. Paragraph 19 of the Consent Agreement also provides, in pertinent part, that if the Respondent fails to make any payments it shall: "(1) render this Agreement null and void; (2) constitute a forfeiture by Respondent of any payments made pursuant to this Agreement; and (3) result in the immediate rescheduling of this matter on the violations set forth in the Attorney General's notice of violations and revocation."

Accordingly, on February 2, 2006, the Presiding Officer issued a First Amended Notice of Hearing and Prehearing

Conference ("Notice"), which reset the contested case hearing in this matter for March 13, 2006, at 9:00 a.m. in room 1A&B at 425 Queen Street, Honolulu, Hawaii, and reset the pre-hearing conference for February 21, 2006 at 10 a.m. in room 1A&B at 425 Queen Street, Honolulu, Hawaii 96813. Respondent was served with this Notice on February 3, 2006, via certified mail, return receipt requested, at both his Fort Street location and his Bishop Street location.

On February 21, 2006, Deputy Attorney General Hugh Jones appeared at the pre-hearing conference for the Petitioner. Neither Respondent nor his counsel appeared at that conference. Mr. Jones notified the Presiding Officer that he would present various exhibits and other documents at the time of the hearing.

On March 3, 2006, the Petitioner delivered to the Presiding Officer a pre-hearing statement, exhibits 1 through 7, the affidavit of Robert P. Jaeger, and the Declaration of Hugh R. Jones. Respondent delivered no pre-hearing statement, exhibits, or documents to the Presiding Officer.

On March 13, 2006, the hearing was held in the above-referenced matter. Deputy Attorney General Kristie Cruz Chang appeared at the hearing for the Petitioner. After an initial delay of the hearing, to await the appearance of the Respondent and his counsel, three calls were made for the Respondent.

Neither Respondent nor his counsel appeared. The Presiding Officer continued with the hearing.

Deputy Attorney General Kristie Cruz Chang gave the Presiding Officer the declaration of Kristie Cruz Chang and exhibits 9 & 10¹. Petitioner's attorney then presented and introduced, without objection, Exhibits 1 through 7, and 9 through 10, along with the affidavit of Robert P. Jaeger, and the declarations of Hugh R. Jones and Kristie Cruz Chang. The exhibits, affidavit, and declarations were received into evidence. Having reviewed the entire record of this proceeding, consisting of the foregoing documents, exhibits, affidavit, and declarations, the Presiding Officer makes the following findings of fact, conclusions of law, and recommended order:

II. FINDINGS OF FACT.

Based upon the records and files of this case, including the exhibits, affidavit, and declarations introduced at the hearing of this matter on March 13, 2006, the Presiding Officer finds:

1. Respondent Bryan Henry is the sole proprietor and owner of Respondent Island Printing & Publishing, and is currently registered as a professional solicitor in the State of Hawaii pursuant to chapter 467B, Hawaii Revised Statutes

¹ N.B. There is no Petitioner's exhibit 8.

(Petitioner's Exhibit ("Exhibit") 1; Exhibit 3 at page ("P.") 12 line ("L.") 21 through P. 13 L. 3);

2. Respondent had an agency agreement with the Law Enforcement Officers Association of Hawai'i ("LEOAH"), whereby Respondent was to solicit on LEOAH's behalf (Exhibit 2; Exhibit 5 P 14 L. 10 through 12);

3. While conducting and collecting solicitations, Respondent's agents failed to carry a copy of the authorization signed by the LEOAH (Exhibit 3 P. 29 L. 18 through P. 30 L. 7);

4. Kenneth Brandt, the LEOAH's president, solicits for Respondent and Mr. Brandt and/or Respondent's agent used or exploited the statement that the LEOAH is approved by the State of Hawaii's Department of the Attorney General, so as to lead at least one member of the public to believe that the filing in any manner constitutes an endorsement or approval by the State of the purposes or goals for the solicitation (Exhibit 3, P. 13 L. 6 through 8; Exhibit 3, P. 14 L. 21 through 23; Affidavit of Robert P. Jaeger at ¶¶ 2 & 3; Exhibit 5 P. 5 L. 8 through 10; Exhibits 9 & 10, Declaration of Kristie Cruz Chang at ¶¶ 2 through 4);

5. Kenneth Brandt, Respondent's agent, used or exploited the statement that the Lieutenant Governor James R. Aiona endorsed the solicitation, so as to lead the public to believe that the filing in any manner constitutes an endorsement or

approval by the State of the purposes or goals of the solicitation (Exhibit 5 P. 29 L. 13 through P. 31 L. 8);

6. Respondent or Respondent's agents used a device, scheme, or artifice, namely, representing that the funds donated would be used to support law enforcement and to publish and distribute an anti-drug magazine in schools, libraries, and public schools, those representations being false and being used to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise (Exhibit 3 P. 19 L. 13 through 18; Exhibit 3 P. 26 L. 14 through P. 27, L. 10; Exhibit 5 P. 21, L. 7 through 11; Exhibit 5 P. 25 L. 5 through P. 27 L. 22; Exhibit 7);

7. Respondent or Respondent's agents used a device, scheme, or artifice, namely, allowing its solicitors to use fictional names with potential donors so as to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise (Exhibit 3 P. 24 L. 4 through 9; Exhibit 5 P. 15 L. 1 through 4);

8. LEOAH is not an exempt charitable organization under Internal Revenue Code § 501(c)(3). (Exhibit 3 P. 27 L. 22 through P. 28 L. 12; Exhibit 5 P. 36 L. 4 through 10)

Respondent or Respondent's agents used a device, scheme, or artifice, namely, sending donors materials that imply that donations to LEOAH are tax deductible by providing LEOAH's

federal I.D. number and a statement to keep a copy for your records, when Respondent has failed to disclose to potential donors that their donation is not tax deductible as a charitable contribution under circumstances where the donors would reasonably believe that their contributions would be used to support a charitable organization exempt from income tax under Internal Revenue Code § 501(c)(3), so as to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise (Exhibit 5 P. 21 L. 7 through P. 22 L. 24; Exhibit 5 P. 36 L. 4 through 10; Exhibit 7);

9. Respondent or Respondent's agents used a device, scheme, or artifice, namely, failing to disclose to potential donors its telephone number by disabling its caller I.D. carrier signal in violation of 16 C.F.R. § 310.4(a)(7), so as to defraud or obtain money or property by means of a false, deceptive, or misleading pretense, representation, or promise (Exhibit 3 P. 23 L. 8 through 9; Exhibit 3, P. 42 L. 19 through P. 43 L. 1);

10. Kenneth Brandt, Jose Maldonado, Shawn Ryan, Johnny Murry, Ernest Wagley, and James Cortiez do soliciting for Respondent (Exhibit 3 at P. 13 L. 4-20; Exhibit 9; Declaration of Kristie Cruz Chang at ¶ 2);

11. Respondent or Respondent's agents have aided, abetted, or otherwise permitted Kenneth Brandt, an unregistered

professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes (Exhibit 3 at P. 13 L. 4-20; Exhibit 5 P. 12 L. 5 through 6; Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

12. Respondent or Respondent's agents have aided, abetted, or otherwise permitted Jose Maldonado, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes (Exhibit 3 at P. 13 L. 4-20; Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

13. Respondent or Respondent's agents have aided, abetted, or otherwise permitted Shawn Ryan, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes (Exhibit 3 at P. 13 L. 4-20; Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

14. Respondent or Respondent's agents have aided, abetted, or otherwise permitted Johnny Murry, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the

requirements of chapter 467B, Hawaii Revised Statutes (Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

15. Respondent or Respondent's agents have aided, abetted, or otherwise permitted Ernest Wagley, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes (Exhibit 3 at P. 13 L. 4-20; Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

16. Respondent or Respondent's agents have aided, abetted, or otherwise permitted James Cortiez, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes (Exhibits 9 & 10; Declaration of Kristie Cruz Chang at ¶¶ 2 through 3);

17. Respondent submitted for filing on behalf of any charitable organization, professional fundraising counsel, or professional solicitor, any statement, financial statement, report, attachment, or other information to be filed with the department, namely, a contract with LEOAH that contains information, statements, or omissions that are false or misleading, namely, the contract filed by Respondent provides that Respondent is to be compensated at twenty per cent of the gross funds raised for the Law Enforcement Officers Association

Based upon the records and files of this case, including the exhibits, affidavit, and declarations introduced at the hearing of this matter on March 13, 2006, the Presiding Officer finds and concludes as a matter of law:

1. In accordance with the facts established in paragraph 3 of section II *supra*, Respondent's agents failed to carry a copy of the authorization while conducting and collecting solicitations in contravention of Hawaii Revised Statutes ("Haw. Rev. Stat.") § 467B-9(d)(2);

2. In accordance with the facts established in paragraph 4 of section II *supra*, Kenneth Brandt, LEOAH's president, solicits for Respondent and Mr. Brandt and/or Respondent's agent used or exploited the statement that the LEOAH is approved by the State of Hawaii's Department of the Attorney General, so as to lead at least one member of the public to believe that the filing in any manner constitutes an endorsement or approval by the State of the purposes or goals for the solicitation in contravention of Haw. Rev. Stat. § 467B-9(e);

3. In accordance with the facts established in paragraph 5 of section II *supra*, Kenneth Brandt, Respondent's agent, used or exploited the statement that the Lieutenant Governor James R. Aiona endorsed the solicitation, so as to lead the public to believe that the filing in any manner constitutes an endorsement

or approval by the State of the purposes or goals of the solicitation in contravention of Haw. Rev. Stat. § 467B-9(e);

4. In accordance with the facts established in paragraph 6 of section II *supra*, Respondent or Respondent's agents used a device, scheme, or artifice, namely, representing that the funds donated would be used to support law enforcement and to publish and distribute an anti-drug magazine in schools, libraries and public schools, those representations being false and being used to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise in contravention of Haw. Rev. Stat. § 467B-9(k);

5. In accordance with the facts established in paragraph 7 of section II *supra*, Respondent or Respondent's agents used a device, scheme, or artifice, namely, allowing its solicitors to use fictional names with potential donors so as to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise in contravention of Haw. Rev. Stat. § 467B-9(k);

6. In accordance with the facts established in paragraph 8 of section II *supra*, LEOAH is not an exempt charitable organization under Internal Revenue Code § 501(c)(3), and Respondent or Respondent's agents used a device, scheme, or artifice, namely, sending donors materials that imply that donations to LEOAH are tax deductible by providing LEOAH's

federal I.D. number and a statement to keep a copy for your records when Respondent has failed to disclose to potential donors that their donation is not tax deductible as a charitable contribution under circumstances where the donors would reasonably believe that their contributions would be used to support a charitable organization exempt from income tax under Internal Revenue Code § 501(c)(3), so as to defraud or obtain money or property by means of that false, deceptive, or misleading pretense, representation, or promise in contravention of Haw. Rev. Stat. § 467B-9(k);

7. In accordance with the facts established in paragraph 9 of section II *supra*, Respondent or Respondent's agents used a device, scheme, or artifice, namely, failing to disclose to potential donors its telephone number by disabling its caller I.D. carrier signal in violation of 16 C.F.R. § 310.4(a)(7), so as to defraud or obtain money or property by means of a false, deceptive, or misleading pretense, representation, or promise in contravention of Haw. Rev. Stat. § 467B-9(k);

8. In accordance with the facts established in paragraph 11 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted Kenneth Brandt, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with

the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

9. In accordance with the facts established in paragraph 12 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted Jose Maldonado, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

10. In accordance with the facts established in paragraph 13 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted Shawn Ryan, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

11. In accordance with the facts established in paragraph 14 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted Johnny Murry, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

12. In accordance with the facts established in paragraph 15 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted Ernest Wagley, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

13. In accordance with the facts established in paragraph 16 of section II *supra*, Respondent or Respondent's agents have aided, abetted, or otherwise permitted James Cortiez, an unregistered professional solicitor, to solicit contributions from persons in the State when that person has not complied with the requirements of chapter 467B, Hawaii Revised Statutes, in contravention of Haw. Rev. Stat. § 467B-9(i);

14. In accordance with the facts established in paragraph 17 of section II *supra*, Respondent submitted for filing on behalf of any charitable organization, professional fundraising counsel, or professional solicitor, any statement, financial statement, report, attachment, or other information to be filed with the department, that contains information, statements, or omissions that are false or misleading, namely, the contract filed by Respondent provides that Respondent is to be compensated at twenty per cent of the gross funds raised for the Law Enforcement Officers Association of Hawaii, when in fact the

Respondent's compensation exceeds eighty per cent, in contravention of Haw. Rev. Stat. § 467B-9(g);

15. In accordance with the facts established in paragraph 18 of section II *supra*, Respondent submitted for filing on behalf of any charitable organization, professional fundraising counsel, or professional solicitor, any statement, financial statement, report, attachment, or other information to be filed with the department that contains information, statements, or omissions that are false or misleading, namely, the registration statement fails to provide the correct business address and phone number for the Respondent, in contravention of Haw. Rev. Stat. § 467B-9(g);

16. In accordance with the facts established in paragraph 19 of section II *supra*, Respondent failed to deposit funds in an account controlled by the charity within five days of receipt, in contravention of Haw. Rev. Stat. § 467B-2.5(c);

17. In accordance with the facts established in paragraph 20 of section II *supra*, Respondent's contract with the Law Enforcement Officers Association of Hawaii fails to contain a statement that Respondent will not at any time have custody or control of contributions, in contravention of Haw. Rev. Stat. § 467B-12.5(a)(7);

18. In accordance with the facts established in paragraph 21 of section II *supra*, Respondent's contract with the Law

Enforcement Officers Association of Hawaii fails to describe the charitable purpose for which the solicitation campaign is being conducted, in contravention of Haw. Rev. Stat. § 467B-12.5(a)(2).

Thus, the Presiding Officer concludes that there were eighteen violations of law committed by the Respondent.

IV. RECOMMENDED ORDER.

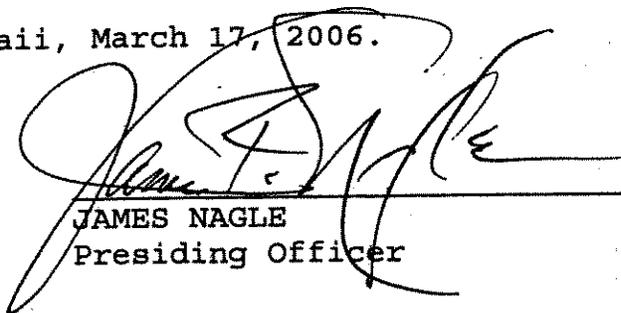
Having reviewed the documents and entire record of this proceeding, including the exhibits, affidavit, and declarations presented at the hearing on March 13, 2006, the Presiding Officer recommends that the Attorney General:

1. Revoke Respondent's professional solicitor registration per Haw. Rev. Stat. § 467B-9.7(a) based upon:
 - a. A determination, per Haw. Rev. Stat. §§ 467B-9.7(a)(1), that Respondent has violated eighteen provisions of chapter 467B, Hawaii Revised Statutes, as detailed in sections II and III *supra*; and
 - b. A finding, per Haw. Rev. Stat. § 9.7(a)(3), that that Respondent has made materially false statements in a report required to be filed with the department under chapter

467B, Hawaii Revised Statutes, as detailed
supra; and

2. Determine that the Respondent has committed eighteen violations of law as specified in sections II and III *supra* and, in accordance with Haw. Rev. Stat. § 467B-9.7(b), impose administrative penalties, to wit, \$1,000 for each of the eighteen violations, in the total amount of \$18,000.

DATED: Honolulu, Hawaii, March 17, 2006.



JAMES NAGLE
Presiding Officer

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing first amended notice of hearing and pre-hearing conference was served on the following persons by certified mail, return receipt requested, sent to the following on March 17, 2006:

Thomas P. Dunn, Esq.
1146 Fort Street Mall, Suite 205
Honolulu, Hawaii 96813

HUGH R. JONES
425 Queen Street
Honolulu, Hawaii 96813

Attorney for Respondent
Bryan C. Henry

Attorney for Petitioner
Mark J. Bennett

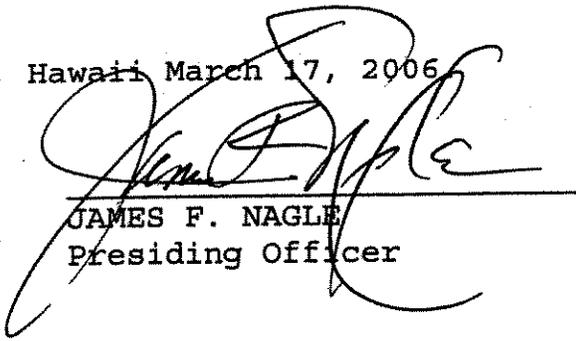
And

Bryan C. Henry
Island Printing & Publishing
1154 Fort Street Mall #307
Honolulu, Hawaii 96813

Bryan C. Henry
BCH Productions, LLC
1164 Bishop Street, Suite 124
Honolulu, Hawaii 96813

Respondent

Dated: Honolulu, Hawaii March 17, 2006



JAMES F. NAGLE
Presiding Officer

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing ATTORNEY GENERAL'S FINAL DECISION AND ORDER; EXHIBIT "A" was sent to the following persons on July 18, 2006 by certified mail, return receipt requested, :

BRYAN C. HENRY
40 Hampshire Drive
Chico, California 95926

Thomas P. Dunn, Esq.
1146 Fort Street Mall, Suite 205
Honolulu, Hawaii 96813

Respondent

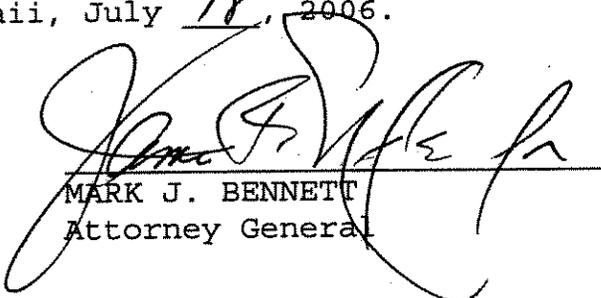
Attorney of Record
for Respondent
BRYAN C. HENRY

And

HUGH R. JONES
425 Queen Street
Honolulu, Hawaii 96813

Attorney for Petitioner
Mark J. Bennett

DATED: Honolulu, Hawaii, July 18, 2006.


MARK J. BENNETT
Attorney General