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DISTRICT COURT OF
THE THIRD CIRCUIT
STATE OF HAWAII

2011 AUG 24 AM 7:57

P. ANTIDA

AGARD & KAIAMA, LLC
Keoni K. Agard #2649
Dexter K. Kaiama #4249
Seven Waterfront Plaza
500 Ala Moana Blvd., Suite 400
Honolulu, Hawai'i 96813
Telephone: 545-2922

Attorneys for Defendant
Dianne Dee Gumapac

IN THE DISTRICT COURT OF THE THIRD CIRCUIT

NORTH AND SOUTH HILO DIVISION

STATE OF HAWAII

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS TRUSTEE
IN TRUST FOR THE BENEFIT OF
THE CERTIFICATEHOLDERS FOR
ARGENT SECURITIES INC.,
ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2006-W2,

Plaintiff,

vs.

DIANNE DEE GUMAPAC; JOHN DOES 1-
50; AND JANE DOES 1-50,

Defendants.

) DC CIVIL NO. 3RC 11-1-150
) (EJECTMENT)
)
) ORDER: (1) GRANTING DEFENDANT
) DIANNE DEE GUMAPAC'S
) MOTION TO DISMISS PLAINTIFF'S
) VERIFIED COMPLAINT FOR
) EJECTMENT FILED FEBRUARY 9, 2011,
) FILED APRIL 29, 2011 AND (2) DENYING
) PLAINTIFF'S MOTION FOR SUMMARY
) JUDGMENT FILED APRIL 14, 2011
)
)

) Hearing:
)
)

) Date: July 1, 2011
)

) Time: 8:30 a.m.
)

) Judge: Hon. Harry P.N. Freitas
)
)

**ORDER: (1) GRANTING DEFENDANT DIANNE DEE GUMAPAC'S MOTION
TO DISMISS PLAINTIFF'S VERIFIED COMPLAINT FOR EJECTMENT FILED
FEBRUARY 9, 2011, FILED APRIL 29, 2011 AND (2) DENYING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT FILED APRIL 14, 2011**

I hereby certify that this is a full, true
and correct copy of the original on file
in my office.
P. Antida
Clerk, District Court of the Third Circuit,
State of Hawaii

Plaintiff's Motion for Summary Judgment and Writ of Possession filed herein on
April 14, 2011 and Defendant Dianne Dee Gumapac's, Motion to Dismiss Plaintiff's Verified
Complaint for Ejectment filed February 9, 2011, filed herein on April 29, 2011, having come on

for hearing before the Honorable Harry Freitas in his courtroom on July 1, 2011, Peter K. Keegan, Esq. having appeared for Plaintiff and Dexter K. Kaiama, Esq. having appeared for Defendant Dianne Dee Gumapac.

The court having carefully read and considered all the memoranda, declaration and exhibits presented, having heard and considered the oral arguments, and good cause appearing therefore,

IT IS HEREBY ORDERED that:

1. Defendant Dianne Dee Gumapac's Motion to Dismiss Plaintiff's Verified Complaint for Ejectment filed February 9, 2011, filed herein on April 29, 2011 is granted and Plaintiff's Verified Complaint for Ejectment filed February 9, 2011 is dismissed with prejudice as a question of title has been raised divesting this Court of Subject Matter Jurisdiction; and

2. Plaintiff's Motion for Summary Judgment and Writ of Possession filed herein on April 14, 2011 is ~~denied~~. *not*

DATED: Hilo , Hawai'i, August , 24 2011.

HARRY P. FREITAS (SEAL)

HONORABLE HARRY P.N. FREITAS
JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

Peter K. Keegan
Attorney for Plaintiff