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FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2012 JAN -5 PM 2:52

R. TERAOKA  
CLERK

**CIRCUIT COURT FOR THE FIRST CIRCUIT HONOLULU, HAWAII**

DR. ORLY TAITZ, ESQ	)	PETITION FOR A WRIT OF MANDAMUS
PLAINTIFF	)	REQUEST FOR INSPECTION OF RECORDS
	)	UNDER UNIFIED INFORMATION PRACTICES ACT
V	)	STATUTE 92F, STATE OF HAWAII
	)	CIVIL 11-1-1731-08
LORETTA FUDDY IN HER OFFICIAL CAPACITY AS	)	HON. RHONDA NISHIMURA PRESIDING
DIRECTOR OF THE DEPARTMENT OF HEALTH	)	FILED AUGUST 10, 2011
STATE OF HAWAII,	)	AGENCY APPEAL
DR. ALVIN T. ONAKA,	)	DATE OF HEARING:
	)	January 6 2012 9am <b>EX PARTE AMENDED</b>
IN HIS OFFICIAL CAPACITY AS	)	<b>Motion Reciprocal Subpoena Enforcement</b>
THE REGISTRAR, DEPARTMENT OF HEALTH	)	
STATE OF HAWAII	)	<b>Request for judicial notice of order</b>
	)	<b>Denying motion to dismiss by defendant</b>
	)	<b>Obama in ballot challenge by attorney Taitz</b>

COMES NOW Plaintiff Dr. Orly Taitz, ESQ. ("Taitz") and hereby seeks EX-Parte  
Emergency Reciprocal Subpoena enforcement.

**Under Rule 7.2 F, 7.2-G3 of the rules of the Circuit courts of HI. Plaintiff files  
this emergency ex parte motion**

(3) EX PARTE MOTIONS.

(A) *Cases Assigned to a Judge.* An *ex parte* motion accompanied by a proposed order shall be dated and stamped "lodged" or "received" by the Legal Documents Branch/Section clerk, listed on the docket, and transmitted to the assigned judge. Upon the judge's action on the motion, it shall be transmitted to the Legal Documents Branch/Section for filing, as well as for the designation of a hearing/return date and time pursuant to subsection (g)(1)(A)(i)(b), if applicable.

(2) be supported by an affidavit or declaration stating the reason(s) for filing the motion *ex parte*, the efforts made to notify parties, and, if the motion is to shorten time or advance a hearing pursuant to subsection (g)(5) of this rule, the efforts made to obtain a stipulation or response from the other parties in the case or the reason(s) why no attempt was made;

(3) be accompanied by a proposed order; and

(4) be served in the most expeditious manner available.

**This motion is supported by an attached sworn declaration and proposed order.**

### **Rule 7.2 G 5 Motion to shorten time**

(5) MOTION TO SHORTEN TIME FOR, ADVANCE, OR RESCHEDULE HEARING.

(A) A motion to shorten time for hearing or motion to advance hearing shall be presented to the judge assigned the case. Upon presentation, the motion shall be date stamped, indicating date of receipt. The motion shall cite the authority and state the reason(s) and factual or other basis for the request. The motion shall be accompanied by a proposed order granting the motion and including an appropriate space for the date and time of the hearing. **The assigned judge may grant or deny the motion, and such grant or denial shall not be subject to review or reconsideration. If granted, the date and time for the hearing shall be indicated on the order.** The motion and order shall be transmitted to the Legal Documents Branch/Section for filing.

(B) Requests to reschedule hearings shall be made by motion or stipulation. The stipulation shall state the reason for rescheduling the hearing and shall be presented for approval to the judge assigned the case at least 48 hours before the scheduled hearing. Upon the judge's approval or denial of the stipulation, it shall be presented to the Legal Documents Branch/Section for filing.

(6) COPIES FOR JUDGE.

(A) *First Circuit.* A party filing a motion, response to a motion, or other document pertaining to a motion, shall deliver 2 file-stamped copies of the motion, response, or document to the chambers of the assigned judge on the filing date.

Taitz is an attorney for Plaintiffs in case Farrar, Lax, Judy, MacLeran, Roth v Obama, Brian Kemp-Secretary of State of GA and Democrat Party of GA OSAH-1215136-60Malihi. Subpoena signed by Deputy Chief Administrative judge of the state of GA was issued ordering Director of Health of the state of Hawaii, Loretta Fuddy, (defendant in this case) to appear at trial and produce documents requested, as well as appear for pretrial deposition and inspection of documents. Exhibits 1. Subpoena sought under rule HAW RCP 45(a) and HAW RCP 45 (d)(1), HRS-624-24.5, HRS 624-27 as well as under HRS 338-18(9).