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Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

N.D.,

Plaintiff,

vs.

MAKAHA, HAWAII CONGREGATION OF  
JEHOVAH'S WITNESSES, a Hawaii non-profit  
unincorporated religious organization, a.k.a.  
MAKAHA CONGREGATION OF  
JEHOVAH'S WITNESSES and KINGDOM  
HALL, MAKAHA CONGREGATION OF  
JEHOVAH'S WITNESSES; WATCHTOWER  
BIBLE AND TRACT SOCIETY OF NEW  
YORK, INC., a New York corporation;  
CHRISTIAN CONGREGATION OF  
JEHOVAH'S WITNESSES, a New York

**CIVIL NO. 1CCV-20-0000390**  
(Non-Motor Vehicle Tort)

ORDER DENYING DEFENDANTS  
MAKAHA CONGREGATION OF  
JEHOVAH'S WITNESSES, HAWAII;  
WATCHTOWER BIBLE AND TRACT  
SOCIETY OF NEW YORK, INC.; and  
CHRISTIAN CONGREGATION OF  
JEHOVAH'S WITNESSES' MOTION TO  
DISMISS THE COMPLAINT FOR  
FAILURE TO STATE A CLAIM, FILED  
MAY 26, 2020

*[Caption continued on next page]*

non-profit corporation; KENNETH L. APANA,  
Individually; and Does 1 through 100, inclusive,

Defendants.

**Hearing:**

DATE: June 22, 2020

TIME: 10:30 a.m.

JUDGE: Honorable Dean E. Ochiai

**No Trial Date Set**

**ORDER DENYING DEFENDANTS MAKAHA CONGREGATION OF JEHOVAH'S  
WITNESSES, HAWAII; WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK,  
INC.; and CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES' MOTION TO  
DISMISS THE COMPLAINT FOR FAILURE TO STATE A CLAIM, FILED MAY 26, 2020**

Defendants Makaha Congregation of Jehovah's Witnesses, Hawaii; Watchtower Bible and Tract Society of New York, Inc.; and Christian Congregation of Jehovah's Witnesses' Motion to Dismiss the Complaint for Failure to State A Claim filed May 26, 2020 came on for hearing on June 22, 2020, at 10:30 a.m. before the Honorable Dean E. Ochiai. Matthew C. Winter appeared for Plaintiff. William S. Hunt appeared for Defendants Makaha Congregation of Jehovah's Witnesses, Hawaii; Watchtower Bible and Tract Society of New York, Inc.; and Christian Congregation of Jehovah's Witnesses. Defendant Kenneth L. Apana appeared pro se.

The Court, having considered the memoranda and documents filed by the parties relating to the motion and having heard the arguments of counsel, and for good cause,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants Makaha Congregation of Jehovah's Witnesses, Hawaii; Watchtower Bible and Tract Society of New York, Inc.; and Christian Congregation of Jehovah's Witnesses' Motion to Dismiss the Complaint for Failure to State A Claim filed May 26, 2020 is hereby denied.

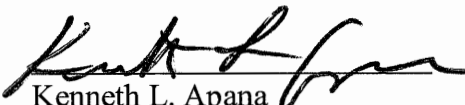
DATED: Honolulu, Hawai'i, July 23, 2020.

/s/ Dean E. Ochiai  
JUDGE OF THE ABOVE-ENTITLED COURT



APPROVED AS TO FORM:

/s/ Candace M. Hough  
WILLIAM S. HUNT  
CANDACE M. HOUGH  
Attorneys for Defendants MAKAHA CONGREGATION  
OF JEHOVAH'S WITNESSES, HAWAII; WATCHTOWER BIBLE  
AND TRACT SOCIETY OF NEW YORK, INC.; and  
CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES

  
Kenneth L. Apana  
Defendant, Pro Se

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*N.D. vs. MAKAHA, HAWAII CONGREGATION OF JEHOVAH'S WITNESSES, a Hawaii non-profit unincorporated religious organization, a.k.a. MAKAHA CONGREGATION OF JEHOVAH'S WITNESSES and KINGDOM HALL, et al.; Civil No. 1CCV-20-0000390; ORDER DENYING DEFENDANTS MAKAHA CONGREGATION OF JEHOVAH'S WITNESSES, HAWAII; WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC.; and CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES' MOTION TO DISMISS THE COMPLAINT FOR FAILURE TO STATE A CLAIM, FILED MAY 26, 2020*