

LEONARD G. HOROWITZ, pro se  
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**IN DIVISION 2 OF THE THIRD CIRCUIT COURT  
OF THE STATE OF HAWAII**

JASON HESTER, an individual	)	CIV. NO. 3CC171000407
Plaintiff,	)	(HRS § 507D-4 Petition to
v.	)	Expunge Affidavit/Lis
	)	Pendens)
LEONARD G. HOROWITZ, an	)	
individual	)	<b>DEFENDANT’S MOTION FOR</b>
Defendant	)	<b>RECONSIDERATION [HRCP</b>
	)	<b>RULES 59; MEMORANDUM IN</b>
	)	<b>SUPPORT; DECLARATION OF</b>
	)	<b>LEONARD G. HOROWITZ;</b>
	)	<b>NOTICE OF MOTION;</b>
	)	<b>CERTIFICATE OF SERVICE</b>
	)	
	)	Non-Hearing Motion
	)	
	)	JUDGE: Henry Nakamoto

**MOTION FOR RECONSIDERATION**

COMES NOW Defendant/Counterclaimant LEONARD G. HOROWITZ, pro se, moving this Court pursuant to the Hawaii Rules of Civil Procedure (HRCP), Rule 59, for reconsideration of the Court’s grant of summary judgment favoring the Plaintiff on March 10, 2021, or in the alternative for a new trial. The Court abused discretion clearly exceeding the bounds of reason by disregarding due process and the principles of law pursuant to the subject 2016 lis pendens authorized by statute (i.e., a *statutory lien* per) Hawaii Revised Statute (“HRS”) 634-51. This lien is neither “frivolous” or a “non-consensual lien” as argued by the Plaintiff and ruled by the Court.

The Court’s summary disposition substantially damages the Defendant, is unlawful, deprives public notice to good faith buyers who might otherwise be damaged by litigations, and, therefore, must be amended in the interest of justice.

The attached Memorandum in support further details the Defendants' justification for this Motion for Reconsideration, or in the alternative a new trial on the neglected merits of the Defendant's statutory lien.

DATED: Cape Coral, Florida, March 21, 2021

\s\ Leonard G. Horowitz \  
LEONARD G. HOROWITZ, pro se