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**Electronically Filed
THIRD CIRCUIT
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Dkt. 603 ORDG**

Attorney for Plaintiff/Counterclaim Defendant
Jason Hester

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

JASON HESTER,

Plaintiff/Counterclaim Defendant,

vs.

LEONARD-J. HOROWITZ and SHERRI
KANE,

Defendants/Counterclaim Plaintiffs,

and

MEDICAL VERITAS
INTERNATIONAL, INC., a California
nonprofit corporation; THE ROYAL
BLOODLINE OF DAVID, a Washington
corporation, JOHN DOES 1-10; JANE
DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; DOE
ENTITIES 1-10 and DOE
GOVERNMENTAL UNITS,

Defendants.

) CIVIL NO. 3CC141000304

)
) ORDER GRANTING MOTION TO
) WITHDRAW AS COUNSEL FOR
) PLAINTIFF/COUNTERCLAIM
) DEFENDANT JASON HESTER --

)
) HEARING
) Date: January 10, 2023
) Time: 1:30 o'clock p.m.
) Judge: Honorable Wendy M. DeWeese

) No trial date set.
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**ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL FOR
PLAINTIFF/COUNTERCLAIM DEFENDANT JASON HESTER**



STEPHEN D. WHITTAKER, AAL, LLC (“Movant”) filed its Motion to Withdraw as Counsel on December 19, 2022 (Dkt. No. 572) (“Motion”). The Motion came on for a hearing on January 10, 2023 before the Honorable Wendy M. DeWeese at 1:30 o’clock p.m. Counsel Stephen D. Whittaker appeared for Movant. Plaintiff and Counterclaim Defendant Jason Hester did not file a position paper and did not attend the hearing. LEONARD J. HOROWITZ filed a Response in opposition to the motion (Dkt. No. 574), and appeared for the hearing via Zoom and Mitchell J. Fine, who has filed a Renewed Motion For Intervention on December 22, 2022, (Dkt. 580) and Paul J. Sulla, Jr., prior counsel to Plaintiff Jason Hester also appeared by Zoom.

The Court, having considered the Motion, the supporting declaration and the record and files in this action, and having heard the oral argument of counsel and for all other good cause appearing therefore:

NOW THEREFORE IT IS HEREBY ORDERED; ADJUDGED AND DECREED that the Motion is GRANTED. STEPHEN D. WHITTAKER, AAL, LLC and its appearing attorney, Stephen D. Whittaker, are hereby deemed to have withdrawn as counsel for Plaintiff and Counterclaim Defendant JASON HESTER, effective immediately.

Further, in consideration of the pending Non-Hearing Motion filed by Mitchell J. Fine and the fact that Plaintiff and Counterclaim Defendant JASON HESTER did not appear for the hearing on January 10, 2023, the Court will set a STATUS CONFERENCE for February 13, 2023 at 2:30 o’clock p.m. The parties may attend the STATUS CONFERENCE via Zoom remote conferencing on in the Circuit Court of the Third Circuit before the Honorable Wendy M. DeWeese at Keahuolu Courthouse, 74-5451 Kamakaeha Ave., Kailua-Kona, Hawaii 96740.

You are permitted to appear remotely via Zoom video conferencing 15 minutes prior to

the scheduled time. The Zoom conference ID is: **610 665 7731**, no password is required. Non-attorney participants unable to participate by video may call **1 669 900 9128** to participate by telephone by using the above noted Zoom video conference ID.

IT IS FURTHER ORDERED that, at the February 13, 2023 status conference, Plaintiff JASON HESTER shall personally appear either in the courtroom or via Zoom, and he shall advise the Court of the following:

- (1) Whether he has retained new counsel or intends to hire a new attorney, or whether he intends to proceed in this matter without an attorney;
- (2) Whether he intends to oppose Defendant LEONARD J. HOROWITZ'S and/or proposed intervening party MITCH FINE'S pending motions, or whether he otherwise is requesting more time to state a position on the pending motions; and
- (3) If JASON HESTER does intend to hire a new attorney and/or is requesting more time to file a position regarding the pending motions, how much time he is requesting.

IT IS FURTHER ORDERED that the Court's previously ordered briefing deadline of January 11, 2023 is suspended.

IT IS FURTHER ORDERED that STEPHEN D. WHITTAKER, ESQ., shall serve a copy of this Order on Plaintiff JASON HESTER at the email address on record.

DATED: Kailua-Kona, Hawaii, January 17, 2023.


JUDGE OF THE ABOVE-ENTITLED COURT

Jason Hester v. Leonard G. Horowitz, et al., In the Circuit Court of the Third Circuit
CIVIL NO. 3CC141000304 [ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL FOR
PLAINTIFF/COUNTERCLAIM DEFENDANT JASON HESTER]