

NO. 26079

IN THE SUPREME COURT OF THE STATE OF HAWAII

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

NATHAN R. BRENNER, Respondent.

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(ODC 01-219-6963, ODC 01-236-6980, ODC 03-215-7815,  
ODC 03-231-7831, ODC 03-235-7835, ODC 03-252-7852, ODC 03-264-  
7864, ODC 03-266-7866, ODC 03-267-7867, ODC 03-268-7868)

ORDER APPOINTING TRUSTEE  
(By Levinson, J., for the court<sup>1</sup>)

Upon consideration of (1) Petitioner Office of Disciplinary Counsel's (Petitioner ODC) September 26, 2003 motion for the appointment of a trustee to inventory Respondent Nathan R. Brenner's (Respondent Brenner) files and protect his clients' interests pursuant to Rule 2.20 of the Rules of the Supreme Court of Hawai'i (RSCH), (2) the supporting memorandum, exhibit and affidavit, (3) Respondent Brenner's lack of opposition thereto, and (4) the record, it appears that Respondent Brenner is unable to protect the interests of his clients, and no partner, executor or other responsible party capable of conducting the attorney's affairs is known to exist. Therefore,

IT IS HEREBY ORDERED that Petitioner ODC's motion is granted, and attorney Jerel I. Yamamoto is appointed as Trustee under RSCH Rule 2.20 to inventory Respondent Brenner's files and to take such action pursuant to RSCH Rule 2.20 as seems necessary to protect the interests of Respondent Brenner's former clients.

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<sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.

IT IS FURTHER ORDERED that Trustee Yamamoto shall assume all of the duties enumerated in RSCH Rule 2.20(c), and such other duties as this court may grant by further order.

DATED: Honolulu, Hawai'i, October 2, 2003.

FOR THE COURT:

STEVEN H. LEVINSON  
Associate Justice

Carole A. Richelieu  
for petitioner on  
the motion