

NO. 21336

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

ERIC Y. MARN, JR., Respondent.

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ODC 99-079-5909

ORDER OF SUSPENSION

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.,  
and Circuit Judge Nakamura, assigned by reason of vacancy)

Upon consideration of the Disciplinary Board's Report And Recommendation For The Suspension Of Eric Y. Marn From the Practice Of Law For A Period Of Two Years and Six Months, the exhibits thereto, and the record, it appears that Respondent Marn, by appearing in district court on behalf of McCully Associates and Puhi Pioneer Company, engaged in the practice of law in violation of our March 13, 1998 order of suspension, Supreme Court Rules 2.16 and 2.17, and Rules 3.4(e) and 5.5(a) of the Hawai'i Rules of Professional Conduct. It further appears that Respondent Marn, by his false, deceptive, and misleading response of March 12, 1999 to the Office of Disciplinary Counsel, violated Rules 8.1(a), 8.1(b) 8.4(c), 8.4(d), and 8.4(a) of the Hawai'i Rules of Professional Conduct. Therefore,

IT IS HEREBY ORDERED that Respondent Eric Y. Marn, Jr. is suspended from the practice of law in this jurisdiction for a period of two (2) years and six (6) months, effective immediately.

IT IS FURTHER ORDERED that upon approval of a timely bill of costs, Respondent Marn shall reimburse the Disciplinary Board for the costs associated with these proceedings. Respondent Marn's reinstatement shall be conditioned upon payment of all costs of this proceeding.

DATED: Honolulu, Hawai'i, December 16, 2003