

NO. 28060

IN THE SUPREME COURT OF THE STATE OF HAWAII

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

STANLEY K. YAMADA, JR., Respondent.

(ODC 00-202-6548, 01-239-6983)

ORDER OF DISBARMENT

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the Disciplinary Board's Report and Recommendation for the Disbarment of Stanley K. Yamada, Jr. and Respondent Yamada's lack of objection thereto as exhibited by his failure to file an answer to the Petition as permitted by Rule 2.7(c) of the Rules of the Supreme Court of the State of Hawaii (RSCH) or to request briefing as permitted by RSCH 2.7(d), it appears that Respondent Yamada violated Rules 1.1, 1.3, 1.15(c), 1.15(d), 3.2, 3.4(e), 7.1(a), 8.1(a), 8.1(b), 8.3(d)(2), 8.4(a), 8.4(c), and 8.4(d) of the Hawaii Rules of Professional Conduct. It further appears that Respondent Yamada has departed from the State of Hawaii, and making discipline effective thirty (30) days after entry of this order, see RSCH 2.16(c), would be pointless. See Office of Disciplinary Counsel v. DeMello, 61 Haw. 223, 225, 601 P.2d 1087, 1088 (1979).

Therefore,

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

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IT IS HEREBY ORDERED that Respondent Stanley K. Yamada, Jr. is disbarred from the practice of law in this jurisdiction, effective immediately.

IT IS FURTHER ORDERED that, as conditions for reinstatement,

1. Respondent Yamada shall pay restitution as follows:
 - a. to Richard Vicari and Deborah Vicari - \$15,000.00.
 - b. to Eptacio Garcia - \$8,763.22.
2. Respondent Yamada shall pay any costs of these proceedings as approved upon timely submission of a bill of costs, and shall comply with the requirements of RSCH 2.16.

DATED: Honolulu, Hawai'i, November 30, 2006.



Steven J. Levinson

Huiua O. Nakayama



James E. Dully, Jr.