

1/9/15 FILED 3:25
DATE TIME: am

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By: 
CLERK, FSM SUPREME COURT
POHNPEI
TRIAL DIVISION

4 Attorney for Plaintiff
BANK OF HAWAII

5
6 **IN THE SUPREME COURT OF THE**
FEDERATED STATES OF MICRONESIA
7 **TRIAL DIVISION - POHNPEI STATE**

8 BANK OF HAWAII,) CIVIL CASE No. 2003-006
9 Plaintiff,)
10 v.) REQUEST FOR RULING ON UNOPPOSED
11 PACIFIC PATTERN, INC., HUBERT K.) MOTION TO COMPEL DISCOVERY AND
YAMADA, and MERMY N. YAMADA,,) FOR FEE AWARD
12 Defendants.)
13)

14 On August 25, 2014 plaintiff Bank of Hawaii (BOH) filed a
15 motion to compel compliance with its May 12, 2014 request to
16 produce documents propounded on defendants. The discovery at
17 issue was served on the defendants with a due date 30 days
18 thereafter. The defendants failed to provide the required
19 written response and never produced any documents.

20 Accordingly, after the defendants also ignored plaintiff's
21 "meet and confer" correspondence seeking cooperation and proper
22 discovery compliance the motion was filed. As with the
23 discovery itself the defendants also failed to reply to the
24 motion to compel. Four months having lapsed since the motion
25 was filed plaintiff BOH respectfully requests the court to rule

1 on the motion by issuing an order granting the requested remedy
2 mandating discovery compliance by the defendants and awarding
3 plaintiff the reasonable attorney's fees it incurred in making
4 the motion as provided under FSM Civil Rule 37 (a)(4). If the
5 court awards fees counsel will submit a detailed fee affidavit
6 in support thereof.

7 Respectfully submitted.

8 Dated: January 8, 2015



9 Michael J. Sipos, Esq.
10 Attorney for Plaintiff
11 Bank of Hawaii

12 Certificate of Service

13 I certify that on January ⁹~~8~~, 2014 I served true and correct
14 copies of this request for ruling on unopposed motion to compel
15 and for fee award, to defendants by mail as follows:

16 Hubert K. Yamada
17 Mermey N. Yamada
18 P.O. Box 567
19 Kolonia, Pohnpei FM



20 Kehlen Halbert