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STATE OF HAWAI‘I

**Electronically Filed**  
**FIRST CIRCUIT**  
**1CC191001419**  
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**03:47 PM**  
**Dkt. 536 OGD**

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI‘I

JOHN ROE NO. 121,

Plaintiff,

vs.

STATE OF HAWAI‘I; JOHN A. TEIXEIRA;  
JOHN DOES 1-10; DOE CORPORATIONS  
1-10; DOE PARTNERSHIPS 1-10; DOE  
NON-PROFIT ENTITIES 1-10; and DOE  
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.: 1CC191001419  
(Other Non-Motor Vehicle Tort)

ORDER GRANTING IN PART AND  
DENYING IN PART *DEFENDANT STATE  
OF HAWAII’S MOTION TO SEAL TRIAL  
EXHIBITS* FILED ON SEPTEMBER 19, 2025

**HEARING**

Date: Tuesday, October 21, 2025

Time: 10:00 a.m.

Judge: Honorable Kevin T. Morikone

Judge: Honorable Kevin T. Morikone

Trial: April 22, 2024

**ORDER GRANTING IN PART AND DENYING IN  
PART *DEFENDANT STATE OF HAWAII’S MOTION TO  
SEAL TRIAL EXHIBITS* FILED ON SEPTEMBER 19, 2025**

*Defendant State of Hawaii’s Motion to Seal Trial Exhibits*, which was filed on  
September 19, 2025, as Dkt. 509 (the “**State’s Motion to Seal**”), came on for hearing before the  
Honorable Kevin T. Morikone on Tuesday, October 21, 2025 at 10:00 a.m.

Mark F. Gallagher, Esq. appeared on behalf of Plaintiff JOHN ROE NO. 121 (“**Plaintiff**”). David N. Matsumiya, Deputy Attorney General, appeared on behalf of Defendant STATE OF HAWAII (the “**State**”). Benjamin M. Creps, Esq., appeared on behalf of Nonparty PUBLIC FIRST LAW CENTER (“**Public First**”).

The Court reviewed and considered the following filings by the State, Plaintiff, and Public First:

1. The State’s Motion to Seal;
2. *Plaintiff John Roe No. 121’s Statement of No Opposition to Defendant State of Hawaii’s Motion to Seal Trial Exhibits Filed September 19, 2025*, which was filed on October 6, 2025, as Dkt. 520 (“**Plaintiff’s No Position Statement**”);
3. *Nonparty Public First Law Center’s Memorandum in Opposition to Motion to Seal Trial Exhibits*, which was filed on October 8, 2025, as Dkt. 522 (“**Public First’s MIO**”); and
4. *Defendant State of Hawaii’s Reply to Nonparty Public First Law Center’s Memorandum in Opposition to Motion to Seal Trial Exhibits Filed on October 8, 2025, as Dkt. 522*, which was filed on October 16, 2025, as Dkt. 525 (the “**State’s Reply**”).

The Court having reviewed the State’s Motion to Seal, Plaintiff’s No Position Statement, Public First’s MIO, the State’s Reply, the arguments of counsel, and being duly advised of the record and files herein, and for good cause appearing therefor, GRANTS IN PART AND DENIES IN PART the State’s Motion to Seal.

The State's Motion to Seal is GRANTED as to the sealing of all trial exhibits that were previously received into evidence. However, the Court hereby orders the State to file redacted versions of all exhibits that were previously received into evidence. Redactions shall be made pursuant to applicable statutes and/or court rules. The redacted versions of the exhibits shall be filed within 45 days of the filing of this order. In the event that the State seeks a Writ of Mandamus or appeal of this decision, this order shall be stayed pending resolution of the Writ of Mandamus or appeal.

DATED: Honolulu, Hawai'i \_\_\_\_\_ November 3, 2025 \_\_\_\_\_.

/s/ Kevin T. Morikone



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JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM

/s/ Mark F. Gallagher

Mark F. Gallagher, Esq.  
Attorney for Plaintiff  
JOHN ROE NO. 121

/s/ Benjamin M. Creps

Benjamin M. Creps, Esq.  
Attorney for Nonparty  
PUBLIC FIRST LAW CENTER

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*John Roe No. 121 v. State of Hawai'i* – Civil No. 1CC191001419 – ORDER GRANTING IN PART AND DENYING IN PART *DEFENDANT STATE OF HAWAII'S MOTION TO SEAL TRIAL EXHIBITS* FILED ON SEPTEMBER 19, 2025