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CLERK OF COURT
COURT OF APPEALS
STATE OF HAWAII

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII

<p>SUSAN LEIGH OSBORNE a/k/a SUSAN OSBORN, Plaintiff, V. CERTAIN UNDERWRITERS AT LLOYD'S LONDON; SPECIALTY PROGRAM GROUP, LLC, a State of Hawai'i Foreign Limited Liability Company; RTEA CORPORATION d/b/a MUTUAL UNDERWRITERS, a Hawai'i Corporation; ARM CLAIMS INCORPORATED d/b/a ALTERNATIVE RISK MANAGEMENT, a Delaware Corporation; JOHN MULLEN & CO., INC, a Hawai'i Corporation; and JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10; DOE LIMITED LIABILITY COMPANIES 1-10; DOE PARTNERSHIPS 1-10; DOE TRUSTS 1-10; DOE ENTITIES 1-10; DOE GOVERNMENTAL AGENCIES 1-10; DOE NOT-FOR-PROFIT ENTITIES 1-10, Defendant(s),</p>	<p>CIVIL NO. 18-1-197) (Non-Motor Vehicle Tort)) (HILO))) ORDER DENYING DEFENDANTS CERTAIN UNDERWRITERS AT LLOYD'S LONDON, SPECIALTY PROGRAM GROUP, LLC, ARM CLAIMS INCORPORATED d/b/a ALTERNATIVE RISK MANAGEMENT, AND JOHN MULLEN & CO., INC.'S MOTION TO DISMISS CLAIM NO. 2 OF PLAINTIFF'S COMPLAINT AS TO ALL NON-LLOYDS DEFENDANTS AND CLAIM NOS. 3 AND 4 OF PLAINTIFF'S COMPLAINT AS TO ALL DEFENDANTS, FILED ON OCTOBER 31, 2018)) <u>Hearing:</u>) Date: December 12, 2018) Time: 8:30 a.m.) Judge: Honorable Henry T. Nakamoto</p>
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ORDER DENYING DEFENDANTS CERTAIN UNDERWRITERS AT LLOYD'S LONDON, SPECIALTY PROGRAM GROUP, LLC, ARM CLAIMS INCORPORATED d/b/a ALTERNATIVE RISK MANAGEMENT, AND JOHN MULLEN & CO., INC.'S MOTION TO DISMISS CLAIM NO. 2 OF PLAINTIFF'S COMPLAINT AS TO ALL NON-LLOYDS DEFENDANTS AND CLAIM NOS. 3 AND 4 OF PLAINTIFF'S COMPLAINT AS TO ALL DEFENDANTS, FILED ON OCTOBER 31, 2018

On December 12, 2018, the Defendants CERTAIN UNDERWRITERS AT LLOYD'S LONDON, SPECIALTY PROGRAM GROUP, LLC, ARM CLAIMS INCORPORATED d/b/a AFFIRMATIVE RISK MANAGEMENT and JOHN MULLEN & CO., INC.'s (collectively "Defendants") pleading referenced above came for hearing before the Honorable Henry T. Nakamoto.

Jeffrey E. Foster appeared on behalf of Plaintiff Susan Leigh Osborne a/k/a Susan Osborn. Wayne R. Wagner appeared on behalf of Defendants.

On October 31, 2018, Defendants filed Motion to Dismiss Claim No. 2 of Plaintiff's Complaint as to All Non-Lloyds Defendants and Claim Nos. 3 and 4 of Plaintiff's Complaint as to All Defendants ("Motion to Dismiss").

On December 3, 2018, Plaintiff filed a Memorandum in Opposition to the Defendants' Motion to Dismiss.

On December 7, 2018, Defendants' filed their Reply Memorandum of Points and Authorities in Support of Their Motion to Dismiss.

The Court having considered the Motion, the pleadings submitted, the record and the arguments of counsel,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that Defendants Certain Underwriters At Lloyd's London, Specialty Program Group, LLC, ARM Claims Incorporated

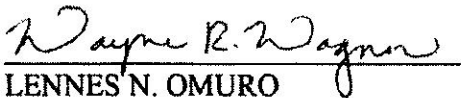
d/b/a Affirmative Risk Management and John Mullen & Co., Inc.'s Motion to Dismiss, filed
October 21, 2018 is DENIED.

DATED: Hilo, Hawaii, December 27, 2018.

HENRY T. NAKAMOTO (SEAL)

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:



LENNES N. OMURO
WAYNE R. WAGNER

Attorneys for Defendants

CERTAIN UNDERWRITERS AT LLOYD'S LONDON, SPECIALTY PROGRAM GROUP,
LLC, ARM CLAIMS INCORPORATED d/b/a AFFIRMATIVE RISK MANAGEMENT and
JOHN MULLEN & CO., INC.'s