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Supreme Court
SCAD-21-0000398
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SCAD-21-0000398

IN THE SUPREME COURT OF THE STATE OF HAWAII

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

NOAH D. FIDDLER (HI Bar #3144),
Respondent.

ORIGINAL PROCEEDING
(ODC Case No. 21-0131)

ORDER GRANTING PETITION

(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

Upon consideration of the July 1, 2021 petition for the immediate restraint of the license to practice law in this jurisdiction held by Respondent Noah D. Fiddler, filed by the Office of Disciplinary Counsel (ODC) pursuant to Rule 2.13 of the Rules of the Supreme Court of the State of Hawaii (RSCH), this court notes the exhibits attached to the petition include the granting on June 9, 2021 by the First Circuit Court, in State of Hawaii v. Fiddler, No. 1CPC-18-0000632, of Fiddler's motion for the deferred acceptance of a guilty plea to five felony counts of willful failure to collect and pay over a tax, in violation of HRS § 231-36.4 (2010), and twelve misdemeanor counts of willful



failure to file a return, in violation of HRS § 231-35 (2010), all of which we conclude were crimes which involved dishonesty. Therefore,

IT IS HEREBY ORDERED that ODC's petition is granted.

IT IS FURTHER ORDERED that Respondent Fiddler is immediately restrained from the practice of law in this jurisdiction, pursuant to RSCH Rule 2.13(b), pending final disposition of a disciplinary proceeding based on the findings of guilt.

IT IS FURTHER ORDERED that this matter is hereby referred to the Disciplinary Board of the Hawai'i Supreme Court for institution of formal disciplinary proceedings, to be convened once these convictions become final, as defined in RSCH Rule 2.13(d). The sole issue to be determined at those hearings shall be the discipline to be imposed.

DATED: Honolulu, Hawai'i, July 16, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins



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SCAD-21-0000398
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SCAD-21-0000398

IN THE SUPREME COURT OF THE STATE OF HAWAII

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

NOAH D. FIDDLER (HI Bar #3144),
Respondent.

ORIGINAL PROCEEDING
(ODC Case No. 21-0131)

ORDER

(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

Upon consideration of the July 28, 2021 motion for clarification filed by the Office of Disciplinary Counsel and the record in this matter, we conclude that imposition of the duties set forth in Rule 2.16 of the Rules of the Supreme Court of the State of Hawai'i (RSCH) is warranted in these proceedings. See ODC v. Fujiyama, SCAD-13-3586. Therefore,

IT IS HEREBY ORDERED that the motion is granted.

IT IS FURTHER ORDERED that the restraint from practice imposed upon Respondent Noah Fiddler constitutes a suspension for the purposes of RSCH Rule 2.16 during the pendency of the



disciplinary proceedings.

IT IS FURTHER ORDERED that, in light of the July 16, 2021 restraining order, the motion for clarification, and this order, Respondent Fiddler is granted twenty days after the entry date of this order to comply with the duties imposed upon him by RSCH Rule 2.16 and to file with this court the affidavit required by RSCH Rule 2.16(d), or good cause for an extension.

DATED: Honolulu, Hawai'i, August 12, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

