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Supreme Court
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SCAD-13-0003586

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

CHRISTOPHER M. FUJIYAMA,
Respondent.

ORIGINAL PROCEEDING
(ODC 13-031-9101)

ORDER OF SUSPENSION

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

Upon consideration of the Report and Recommendation of the Disciplinary Board of the Supreme Court of the State of Hawai'i recommending this court suspend Respondent Christopher M. Fujiyama for two years and require him to bear the cost of the disciplinary proceedings, and upon review of the record, this court reaches the following findings and conclusions by clear and convincing evidence.

Respondent Fujiyama did, in 2012, intentionally and knowingly traffic in counterfeit goods, in violation of 18 U.S.C. § 2320(a)(1), and is currently serving a three-year period of

probation for that federal offense. Such conduct reflects adversely on Respondent Fujiyama's honesty, trustworthiness, and fitness as a lawyer, and is conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Rules 8.4(b) and 8.4(c) of the Hawai'i Rules of Professional Conduct (1994). In aggravation, we find Respondent Fujiyama acted with a dishonest or selfish motive and engaged in a pattern of misconduct which injured the corporate owners of the rightful trademarks. In mitigation, we note his previously clean disciplinary record, his timely, good-faith effort at restitution, his cooperative attitude with federal investigators, his full disclosure to the Disciplinary Board, his cooperative attitude toward the disciplinary proceedings, the other penalties imposed upon him for his conduct, including a six-month home detention during non-working hours and full payment of a \$20,000.00 fine, the support he received from 19 individuals attesting to his character, and his expressions of genuine remorse. Therefore,

IT IS HEREBY ORDERED that Respondent Fujiyama is suspended from the practice of law in this jurisdiction for a period of two years, effective 30 days after the date of entry of this order, as provided by Rules 2.3(a)(2), 2.13(d), and 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i (RSCH).

IT IS FURTHER ORDERED that, in addition to any other requirements for reinstatement imposed by the Rules of the

Supreme Court of the State of Hawai'i, Respondent Fujiyama shall pay all costs of these proceedings as approved upon the timely submission of a bill of costs, as prescribed by RSCH Rule 2.3(c).

IT IS FINALLY ORDERED that Respondent Fujiyama shall, within ten days after the effective date of his suspension, file with this court an affidavit that he is in full compliance with RSCH Rule 2.16(d).

DATED: Honolulu, Hawai'i, August 13, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

