

DEFENDANT KUKUI GARDENS CORPORATION'S MOTION TO
DISMISS PLAINTIFF FAITH ACTION FOR COMMUNITY EQUITY'S
COMPLAINT

COMES NOW, Defendant KUKUI GARDENS CORPORATION ("KGC")
by and through its counsel, Kobayashi, Sugita & Goda, and hereby moves this
Honorable Court for an order granting KGC's Motion to Dismiss the above-
captioned matter on the grounds that Plaintiff FAITH ACTION FOR
COMMUNITY EQUITY'S ("FACE") COMPLAINT for lack the requisite
standing required under Article III of the United States Constitution and as to
Count Six of the Complaint for failure to state a claim upon which relief can be
granted.

This Motion is being brought pursuant to Federal Rules of Civil Procedure
("FRCP") Rules 12(b)(1) and 12(b)(6), the attached Memorandum In Support of
Motion, the records and files contained herein.

DATED: Honolulu, Hawai'i, December 11, 2006.

/s/ Jonathan A. Kobayashi
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