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11 Attorneys for Team King Investment (CNMI) LLC,
Successful Bidder

12 **IN DISTRICT COURT OF THE NORTHERN MARIANA ISLANDS**

13 In re:

Case No. 1:24-bk-00002

14 **IMPERIAL PACIFIC INTERNATIONAL**
15 **(CNMI) LLC,**

Chapter 11

16 Debtor and Debtor in Possession.

17 **MOTION TO QUASH NOTICE OF**
18 **REMOTE DEPOSITION OF TEAM**
19 **KING INVESTMENT (CNMI), LLC**

20 Judge: Hon. Robert J. Faris

21 **MEET AND CONFER CERTIFICATION**

22 I HEREBY CERTIFY that myself, with full authority to resolve this
23 discovery dispute, had a substantive conversation in person or by telephone
24 with opposing counsels Aaron Halegua and Robert Glass in a good faith effort
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1 to resolve this motion before the motion was noticed for hearing, but the
2 parties were unable to reach an agreement.

3 I FURTHER HEREBY CERTIFY I had a conversation with opposing
4 counsel:

- 5 1. Aaron Halegua on Monday, March 10, 2025 at 1:55 pm;
- 6 2. Aaron Halegua and Robert Glass on Wednesday, March 12, 2025 at
7 7:30 am.
- 8 3. Aaron Halegua on Wednesday, March 12, 2025 at about 2:30 p.m.

9
10 **MOTION**

11 Counsel for Team King Investment (CNMI), LLC ("Team King"),
12 successful bidder herein, hereby moves the Court to quash the Notice of
13 Remote Deposition of Team King served upon Team King on March 10, 1983.
14

15 This Motion is based on the accompanying Memorandum of Points and
16 Authorities, the record of the proceedings and papers on file herein together
17 with and all arguments to be presented at the hearing on the above Motion.

18 Dated this ____ day of March, 2025.

19 Law Offices of Louie J. Yanza, P.C.
20 Attorneys for
21 Team King Investment (CNMI), LLC

22
23 By: _____
24 Louie J. Yanza
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MEMORANDUM OF POINTS AND AUTHORITIES

This motion is made pursuant to Rule 26 (c) of the Federal Rules of Civil Procedure ("FRCP") and Rule 7026 of Federal Rules of Bankruptcy Procedure. FRCP Rule 26 (c) provides in pertinent part as follows:

(c) Protective Orders.

(1) *In General.* A party or any person from whom discovery is sought may move for a protective order in the court where the action is pending—or as an alternative on matters relating to a deposition, in the court for the district where the deposition will be taken. The motion must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action. The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

- (A) forbidding the disclosure or discovery;
- (B) specifying terms, including time and place or the allocation of expenses, for the disclosure or discovery;

FRCP Rule 26 (c).

Attorneys for Joshua Gray, creditor, and Attorneys for CNMI have noticed the depositions of Team King and Hiroshi Kaneko for March 18, 2025 at 9:00 a.m. via Zoom or another Web-based deposition option. Mr. Kaneko is the principal of Team King and would be the designated Rule 30 (b) (6) representative during any deposition of Team King. The Noticed date of March 18, 2028 gives Team King and Mr. Kaneko only 6 days to file any objections or otherwise respond to the Notices. More importantly, this date was never agreed to by Team King or Mr. Kaneko.

1 Pursuant to Rule 26 (c), and as will be explained below, Team King
2 requests the Court to require any depositions of Team King or its designated
3 Rule 30 (b) (6) representative to be conducted on a date after March 23, 2025.

4 **Insufficient Notice**

5 As the Court is aware, Team King was the successful bidder of the
6 Imperial Pacific International casino assets during the auction held on
7 February 26, 2025. A hearing to approve and confirm the sale will take place
8 on March 25, 2025 before the Honorable Judge Robert J. Faris. Since
9 February 26, 2025, the identity of the successful bidder has been known to all
10 concerned, including counsels for Gray and CNMI. Despite this fact, the first
11 indication of a deposition was not made known until nearly two weeks later on
12 March 10, 2025.

13 Although Team King does not oppose its deposition generally, Team King
14 does assert that conducting its deposition on March 18, 2025 would create an
15 undue burden. Specifically, Team King asserts that a deposition on March 18,
16 2025 does not provide sufficient time for Team King to object, respond, or
17 otherwise sufficiently prepare for the deposition. As noted above, FRCP Rule
18 26 (c) (1) requires reasonable notice of a deposition. Moreover, the Local Rules
19 for the U.S. District Court for the Northern Mariana Islands requires the
20 parties to meet and confer concerning any discovery dispute, including
21 depositions. See LR 26.2 (a) (1). Despite Team King informing Counsels for
22 Gray and CNMI that the date of March 18, 2025 is not available, they continue
23 to insist on conducting the deposition on that date. Counsel for Team King has
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1 made a good faith effort to resolve this issue but opposing counsel continues to
2 insist on a deposition date that is simply not possible.

3 **Scheduling Conflicts**

4 As indicated above, the Notice of Remote Deposition for March 18, 2025
5 was not agreed upon by Team King or Mr. Kaneko. The fact of the matter is
6 Team King and Mr. Kaneko are not available on that date. Mr. Kaneko will be
7 traveling beginning March 14 through March 22, 2025. Moreover, counsel for
8 Team King has two separate hearings scheduled for the morning of March 18,
9 2025 and will also be traveling from March 19 through March 23, 2025.
10 Despite opposing counsels being amenable to another date, no agreement was
11 reached. Based on the clear scheduling conflicts it appears the only possible
12 date for the deposition is March 24, 2025.

14 **Failure to provide the matters for 15 examination with reasonable particularity.**

16 In addition to the scheduling conflicts which render it nearly impossible
17 to conduct the deposition of Team King, opposing counsels have also failed to
18 comply with Rule 30 (b) (6). Pursuant to this rule, a party that names a
19 corporation or organization as a deponent "must describe with reasonable
20 particularity the matters for examination." FRCP Rule 30 (b) (6). The Notices
21 of Remote Deposition do not provide any information concerning the matters
22 for examination.

23 / /

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25 / /

CONCLUSION

Based upon the foregoing, Counsel for Team King and Mr. Kaneko respectfully requests that the Notice of Remote Deposition be quashed, or in the alternative, be held on March 24, 2025.

Respectfully submitted this 13th day of March, 2025.

Law Office of Louie J. Yanza, P.C.
Attorney for Team King Investment
(CNMI), LLC

By: 

Louie J. Yanza