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For The Northern Mariana Islands
By _____
(Deputy Clerk) *fl.*

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

YONAMI KOCHI,)

Civil Action No. 02-0054

Plaintiff)

v.)

JUDGMENT

COMMONWEALTH SUPERIOR)
COURT; THE HONORABLE)
JUAN T. LIZAMA; NORTHERN)
MARIANAS HOUSING CORP.;)
TRIPLE J SAIPAN, INC., doing)
business as TRIPLE J MOTORS;)
and, MICHAEL A. WHITE,)

Defendants)

COMMONWEALTH OF THE)
NORTHERN MARIANA)
ISLANDS,)

Intervenor)

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IN ACCORDANCE with the signed settlement and release agreement and the stipulated final judgment, the latter of which was filed this date; and, further,

IN ACCORDANCE with the agreement of all parties that 7 N.Mar.I. Code § 4104 is unconstitutional; and, further,

BECAUSE the court has examined the statute and agrees that it is unconstitutional because it allows seizure of exempt property without notice and an opportunity to be heard before final deprivation, and because it fails to provide for notice to an affected party of possible exemptions and how such exemptions might be claimed, all in violation of the due process guarantees of the Fourteenth Amendment to the United States Constitution; NOW,

THEREFORE,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. Title 7, N.Mar.I. Code § 4104 be and hereby is declared

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unconstitutional; and,

2. Costs and fees shall be apportioned as set out in the settlement agreement.

DATED this 21st day of November, 2003.



ALEX R. MUNSON
Judge