

ORIGINAL

NO \_\_\_\_\_

IN THE US DISTRICT COURT DISTRICT OF HAWAII

C (CHARLES) KAUI JOCHANAN AMSTERDAM  
Candidate for the US Senate  
(550-4994) Plaintiff,

vs.

Dwayne D Yoshina, Chief  
Election Officer for the  
State of Hawaii,  
Attorney General  
Attorney General Office,  
State of Hawaii  
Defendant -

ORIGINAL PROCEDURES

SUMMONS

CV 06 00519 HG BMK

COMPLAMNT CONTESTING THE ELECTIONS PROCEDURES  
IN HAWAII OF 2006 IN VIOLATION OF FAIR ELECTIONS,  
VOTING, AND CIVIL RIGHTS OF US SENATE CANDIDATE  
C (CHARLES) KAUI JOCHANAN AMSTERDAM AND RESULTING  
UNFAIR, DISADVANTAGED, AND DETRIMENTAL IMPACTS.

C (CHARLES) KAUI JOCHANAN AMSTERDAM  
1415 Pensacola St., # 12  
Honolulu, Hawaii 96822  
(808) 550-4994

TRUDY MILANI TAKAYAMA  
Representative  
(808) 959-0132

PRO SE

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

SEP 22 2006

at 3 o'clock and 52 min. P.M.  
SUE BEITIA, CLERK

COMPLAINT CONTESTING THE FAIRNESS OF AN ELECTION

INTRODUCTION

The complaint protests and contests the unfair treatment of US Senate Candidate C (Charles) Kauai Jochanan Amsterdam by the Office of Elections.

First, Candidate Amsterdam was entered as a non-partisan candidate, meeting all criteria with the required valid signatures of registered voters and filed in a timely manner.

Secondly, the Candidate was entered on the ballot as a party as a bureaucratic procedure and convenience. Being designated within a party category on the ballot, gave the impression to the voting public that Candidate C Kauai Jochanan Amsterdam is a party candidate and has caused confusion amongst the voting public.

Thirdly, Candidate Amsterdam is required to meet requirements beyond those of a regular party by having to get 10% of the total votes cast for the office for which the person is a candidate at the Primary Election; or receive a vote equal to the lowest vote received by the partisan candidate who was nominated in the Primary Election for the office as presented in Part III 12-31 Ballot Statutes and Part IV. Elections Results, 12-41 of Hawaii Revised Statutes. Along with such additional requirements, Candidate Amsterdam is restricted from having voters vote for him and any other candidate in another party or vice versa. The voting public is left confused and Candidate Amsterdam is left with an unfair disadvantage.

BACKGROUND

In discussing this situation with the voting public and media, Candidate C Kauai Jochanan Amsterdam found that most of the voting public and media involved expressed their views that there is a double standard, double jeopardy, and unfair treatment imposed on the plaintiff. Likewise, such voting rights and fairness are being violated. The impact is to disadvantage Candidate Amsterdam, place greater burden on him to receive sufficient votes to pass the Primary Elections and advance the needed goals and service as a US Senator for which he is a candidate in the 2006 Elections.

PRAYER FOR RELIEF

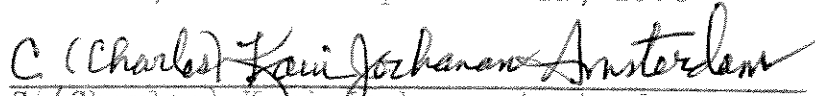
Wherefore, Plaintiff prays for relief as follows:

A. That the Hawaii Supreme Court, in this original action, grant the plaintiff and Candidate C Kauai Jochanan Amsterdam the right of a candidate of a party as presented in Part IV Elections Results 12-41 Result of election (a) "The person or persons receiving the greatest number of votes at the primary or special primary as a candidate of a party for an office shall be the candidate of the party at the following general or special election". In other words, C Kauai Jochanan Amsterdam should be given the rights provided to him as he was designated on the ballot before the voting public by the Office of Elections and not be unfairly disadvantaged and burdened by excessive inconsistent criteria due to the Election Office's oversight.

B. That due to the immediate nature of this complaint, an injunction be placed on this Primary Election in order that this complaint can be satisfactorily addressed and fairly resolved.

C. That this Court grant such and further relief as it shall deem just and proper.

Dated: Honolulu, Hawaii September 21, 2006

  
C (Charles) Kai Jochanan Amsterdam  
US Senator Candidate  
Pro Se

CERTIFICATE OF SERVICE

I hereby certify that a copy of COMPLAINT CONTESTING THE ELECTION PROCEDURES IN HAWAII OF 2006 IN VIOLATION OF FAIR ELECTIONS, VOTING, AND CIVIL RIGHTS OF US SENATE CANDIDATE C (CHARLES) KAUJI JOCHANAN AMSTERDAM AND RESULTING UNFAIR, DIS-ADVANTAGED, AND DETRIMENTAL IMPACTS.

Dwayne D Yoshina  
Chief Election Officer  
Elections Office  
802 Lehua Avenue  
Pearl City, Hawaii  
96782

By US Mail

By Hand Mail  
X

Attorney General  
Mark Bennett  
Office of Attorney General  
425 Queen Street, 1st Floor  
Honolulu, Hawaii 96813

X

Dated at Honolulu, Hawaii, September 22, 2006

C. Kauji Jochanan Amsterdam

C. Kauji Jochanan Amsterdam  
US Senate Candidate  
Pro Se

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

District of Hawaii

- C (CHARLES) KAHU JOCHANAN  
AMSTERDAM  
Candidate for US Senate  
v. Plaintiff

## SUMMONS IN A CIVIL ACTION

- Dwayne D Yoshing, Chief  
Election Officer for the  
State of Hawaii,  
- Attorney General  
Mark Bennett  
Attorney General office  
State of Hawaii  
Defendant

CASE NUMBER:

TO: (Name and address of Defendant)

ALL NAMED DEFENDANTS

- Dwayne D Yoshing  
Chief Election Officer  
Elections Office  
802 Lehua Avenue.  
Pearl City, Hawaii 96782

- Attorney General Mark Bennett  
Office of Attorney General of Hawaii  
425 Queen St 15<sup>th</sup> Floor, Hon. HI 96813

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

C (Charles) Kahu Jochanan Amsterdam  
1415 Pensacola St. #12  
Honolulu, Hawaii 96822

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SUE BEITIA

CLERK

*Salem M. Jamin*  
(By) DEPUTY CLERK

DATE

SEP 22 2006

AO 440 (Rev. 8/01) Summons in a Civil Action

| RETURN OF SERVICE  |                                     |              |
|--|-------------------------------------|--------------|
| Service of the Summons and complaint was made by me <sup>(1)</sup>   | DATE <u>September 22, 2006</u>      |              |
| NAME OF SERVER (PRINT)<br><u>Shirley Momi Mei Ling Rosenbush</u>   | TITLE<br><u>Executive Secretary</u> |              |
| Check one box below to indicate appropriate method of service  |                                     |              |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>Attorney General, Mark Bennett, Election Office, 802 Lehua Avenue, Pearl City, Hawaii 96782</u><br><u>Office of Attorney General, Hawaii</u><br><u>425 Queen St., Hon., HI, 96813</u>   |                                     |              |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br>Name of person with whom the summons and complaint were left:  |                                     |              |
| <input type="checkbox"/> Returned unexecuted:  |                                     |              |
| <input type="checkbox"/> Other (specify):  |                                     |              |
| STATEMENT OF SERVICE FEES  |                                     |              |
| TRAVEL   | SERVICES                            | TOTAL \$0.00 |
| DECLARATION OF SERVER  |                                     |              |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>September 22, 2006</u> <u>Shirley M Rosenbush</u><br/>           Date Signature of Server</p> <p><u>1509 Pensacola St. B4</u><br/> <u>Honolulu, Hawaii 96823</u><br/>           Address of Server</p> <p style="text-align: right; margin-top: 50px;"><u>SMR</u></p> |                                     |              |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.