

NO. 28248

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LAWRENCE O'GOREK, BEATRICE TSUNEYOSHI, KIM KALANI,
and the HAWAII GOVERNMENT EMPLOYEES ASSOCIATION (HGEA),
Plaintiffs-Appellants, Cross-Appellees,

v.

HAWAII PUBLIC EMPLOYEES HEALTH FUND; BOARD OF TRUSTEES OF THE
HAWAII PUBLIC EMPLOYEES HEALTH FUND; GREGORY SATO, ROBERT HU,
JULIE PRICE, STEVETTE SANTIAGO, TRACY CHANG, MILTON FUKE, DOLORES
FOLEY, REV. BRUCE NAKAMURA and GEORGINA KAWAMURA, In their
official capacity as Trustees of the Hawaii Public Employees
Health Fund and not Individually; DIRECTOR OF FINANCE OF THE
STATE OF HAWAII; and the STATE OF HAWAII, Defendants-Appellees,
Cross-Appellants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 03-1-1352)

ORDER OF CORRECTION

(By: Nakamura, Chief Judge, for the court¹)

The Memorandum Opinion, filed on November 23, 2011, is hereby corrected as follows:

1. On page 1, in the last line of the page, the comma between the words "appeal" and "was" should be deleted.

2. On page 15, in the fourteenth line, there should be an apostrophe after the second "employees" that appears in that line so that as corrected, the text reads: ". . . the employees' share"

¹ Nakamura, C.J., Leonard, J., and Circuit Judge Tootoo in place of Foley, Fujise, Reifurth, and Ginoza, JJ., all recused.

3. On page 17, in the eighth line from the bottom of the page, the word "Partial" should be inserted between the words "for" and "Summary" so that as corrected, the text reads: ". . . Third Motion for Partial Summary Judgment"

4. On page 23, in the twelfth line, the word "premiums" should be changed to "premium" so that as corrected, the text reads: "(9) use premium surpluses"

5. On page 27, in the twenty-sixth line, the word "issued" should be changed to "issue" so that as corrected, the text reads: ". . . premium surpluses at issue"

The clerk of the court is directed to take all necessary steps to notify the publishing agencies of these changes.

DATED: Honolulu, Hawaii, December 21, 2011.

FOR THE COURT:

Chief Judge