

NO. 28641

IN THE SUPREME COURT OF THE STATE OF HAWAII

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CIV. NO. 02-1-0691

KRISTIE TOKUHISA, Court-Appointed Class Representative,  
individually and on behalf of all others similarly situated,  
Petitioner/Plaintiff-Appellant,

and

CYNTHIA ALTMAN and KELLY MULLER, individually and on behalf  
of all others similarly situated, Plaintiffs,

vs.

CUTTER MANAGEMENT CO.; CUTTER MOTOR CARS, INC.; CUTTER  
DODGE, CHRYSLER, PLYMOUTH, JEEP OF PEARL CITY, INC. dba  
CUTTER DODGE CHRYSLER PLYMOUTH JEEP OF PEARL CITY,  
Respondents/Defendants/Third-Party Plaintiffs/  
Counterclaim Defendants-Appellees,

and

RED SWAN INCORPORATED, Respondent/Defendant-Appellee,

vs.

SAFE-GUARD PRODUCTS INTERNATIONAL, INC.,  
Respondent/Third-Party Defendant/Counterclaim  
Plaintiff-Appellee.

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CIV. NO. 02-1-2915

KRISTIE TOKUHISA, Court-Appointed Class Representative,  
individually and on behalf of all others similarly situated,  
Petitioner/Plaintiff-Appellant,

and

WALTER CALIZO, ROCHELLE MOLINA, FERILA PEREZ, FRANCISCO ANCHETA,  
KELLY ANCHETA, KHAMTAN TANHCHALEUN, and CHOU TANHCHALEUN,  
individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

CUTTER MANAGEMENT CO.; CUTTER DODGE, INC.; RAINBOW CHEVROLET,  
INC.; CUTTER FORD, INC.; CUTTER IMPORTS, INC.; CUTTER  
MOTOR CARS, INC.; CUTTER OF WAIPAHU, INC.; and CUTTER  
PONTIAC, BUICK, GMC OF WAIPAHU, INC.,  
Respondents/Defendants/Cross-Claim Plaintiffs/  
Cross-Claim Defendants-Appellees,

and

RED SWAN INCORPORATED; Respondent/Defendant-Appellee,

and

SAFE-GUARD PRODUCTS INTERNATIONAL INC.,  
Respondent/Defendant/Cross-Claim Defendant/  
Cross-Claim Plaintiff-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIV NOS. 02-1-0691 & 02-1-2915)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Nakayama, J., for the court<sup>1</sup>)

Petitioner-Plaintiff-Appellant s Application for Writ  
of Certiorari filed on April 12, 2010, is hereby accepted.

DATED: Honolulu, Hawaii, May 21, 2010.

FOR THE COURT:

Associate Justice

Paul Alston and Peter S.  
Knapman of Alston Hunt Floyd  
& Ing for petitioner-plaintiff-  
appellant

Lisa Woods Munger, Joachim P.  
Cox, Robert K. Fricke, and  
Abigail M. Holden of Goodsill  
Anderson Quinn & Stifel for  
respondents-defendants-appellees

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<sup>1</sup>Court: Nakayama, Acting C.J., Acoba and Duffy, JJ, Circuit  
Judge Perkins in place of Moon, C.J, recused, and Circuit Judge  
Border, in place of Recktenwald, J., recused.