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Supreme Court  
SCWC-28857  
03-AUG-2011  
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NO. SCWC-28857

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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DAVID GARNER, ALLAN KLITERNICK, JO JENNIFER GOLDSMITH  
and DAVID HUDSON, on behalf of themselves and all others  
similarly situated, Petitioners/Plaintiffs-Appellants,

vs.

STATE OF HAWAI‘I, DEPARTMENT OF EDUCATION,  
Respondent/Defendant-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 28857; CIV. NO. 07-1-1480)

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

Petitioners/Plaintiffs-Appellants' application for writ  
of certiorari, filed on June 28, 2011, is hereby rejected.

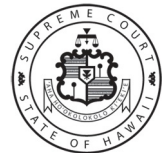
DATED: Honolulu, Hawai‘i, August 3, 2011.

Paul Alston,  
Peter S. Knapman,  
Mei-Fei Kuo, and  
Bruce H. Wakuzawa  
for petitioners/  
plaintiffs-appellants  
on the application  
and reply

FOR THE COURT:

/s/ James E. Duffy, Jr.

Associate Justice



Deirdre Marie-Iha,  
Deputy Solicitor General,  
for respondent/defendant-  
appellee on the response

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<sup>1</sup> Considered by: Recktenwald, C.J., Nakayama, Duffy, and McKenna, JJ.  
and Circuit Judge Garibaldi, in place of Acoba, J., recused.