

**Electronically Filed
Supreme Court
SCWC-29210
28-DEC-2011
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NO. SCWC-29210

IN THE SUPREME COURT OF THE STATE OF HAWAII

CFI INC., a Hawai'i Corporation,
Respondent/Plaintiff/Appellant,

vs.

HAMAKUA COAST REALTY, INC., a Hawai'i Corporation,
and DENIS FERRARI, Petitioners/Defendants/Appellees,

and

ERNEST B. TEXEIRA, and ALA KAI REALTY, INC.,
a Hawai'i Corporation,
Respondents/Defendants-Third-Party Plaintiffs/Appellees,

and

TEX INC., a Hawai'i Corporation, et al.,
Respondent/Defendant/Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 29210; CIV. NO. 06-1-0380 (HILO))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, Duffy, and McKenna, JJ., and Circuit Court Judge Sakamoto, in place of Acoba, J., recused)

Petitioners/Defendants/Appellees Hamakua Coast Realty, Inc., and Denis Ferrari's petition for writ of certiorari, filed on November 21, 2011, is hereby rejected.

DATED: Honolulu, Hawai'i, December 28, 2011.

Sidney K. Ayabe and
Ronald T. Michioka
(Ayabe, Chong, Nishimoto,
Sia & Nakamura) for
petitioners/defendants/
appellees on the petition.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

Douglas L. Halsted,
for respondent/plaintiff/
appellant on the opposition.

/s/ Karl K. Sakamoto

