

Electronically Filed  
Supreme Court  
SCWC-29775  
07-MAR-2011  
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NO. SCWC-29775

IN THE SUPREME COURT OF THE STATE OF HAWAII

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GEORGE ROBERT TOTH, Petitioner/Plaintiff-Appellant,

vs.

DONALD S. RULLO; RED TIME REALTY LLC, a Hawaii  
Limited Liability Company; MICHAEL J. SWERDLOW; and  
HO'OMAU I MUA LLC, a Hawaii Limited Liability Company;  
Respondents/Defendants-Appellees, and LEHMAN  
BROTHERS BANK, FSB, a Federal Savings Bank, Defendant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 29775; CIVIL NO. 07-1-0097K)

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

Petitioner/Plaintiff-Appellant George Robert Toth's  
application for writ of certiorari filed on January 24, 2011, is  
hereby rejected.

DATED: Honolulu, Hawaii, March 7, 2011.

FOR THE COURT:

/s/ Mark E. Recktenwald

Chief Justice



Mark Van Pernis for  
petitioner/plaintiff-  
appellant on the  
application.

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