

**Electronically Filed
Supreme Court
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SCWC-28762

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DISTRICT COUNCIL 50, OF THE INTERNATIONAL UNION OF PAINTERS AND
ALLIED TRADES and ALOHA GLASS SALES & SERVICE, INC.,
Petitioners/Plaintiffs-Appellants,

vs.

KEALI'I S. LOPEZ, in her capacity as Director,
Department of Commerce & Consumer Affairs,
Respondent/Defendant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 28762; CIV. NO. 07-1-0310)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI

(By: Nakayama, Acting C.J., and McKenna, J.,
Circuit Judge To'oto'o, in place of Acoba, J., recused,
Circuit Judge Sakamoto, in place of Pollack, J., recused,
and Circuit Judge Kim, in place of Recktenwald, C.J., recused,
dissenting)

Petitioners/Plaintiffs-Appellants' application for writ
of certiorari filed on October 18, 2012, is hereby accepted and

will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawai'i, December 3, 2012.

Michael A. Lilly
and Valerie M. Kato
for petitioners

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

Lei S. Fukumura,
Deborah Day Emerson
and Rodney J. Tam
for respondent

/s/ Faauuga To'oto'o

/s/ Karl K. Sakamoto



DISSENT BY CIRCUIT JUDGE KIM

I dissent and would reject the application for writ of certiorari.

/s/ Glenn J. Kim