

**Electronically Filed
Supreme Court
SCWC-12-0000711
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SCWC-12-0000711

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TITLE GUARANTY ESCROW SERVICES, INC.,
a Hawai'i corporation, Respondent/Plaintiff-Appellee,

vs.

MICHAEL J. SZYMANSKI, Petitioner/Defendant,
Cross-Claimant, Third-Party Plaintiff, Third-Party Counterclaim
Defendant-Appellant,

and

WAILEA RESORT COMPANY, LTD., a Hawai'i corporation,
Respondent/Defendant, Cross-Claim Defendant-Appellee,

and

ADOA-SHINWA DEVELOPMENT CORPORATION, a Hawai'i corporation,
and SHINWA GOLF HAWAI'I CO., LTD., a Hawai'i corporation,
Respondents/Third-Party Defendants,
Third-Party Counterclaimants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-12-0000711; CIV. NO. 02-1-0352(2))

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: Acoba, McKenna, and Pollack, JJ., and Circuit Judge
Wilson, in place of Recktenwald, C.J., recused,
with Nakayama, Acting C.J., dissenting)

The application for a writ of certiorari, filed on
June 24, 2013, is hereby accepted.

No oral argument will be heard in the case. Any party
may, within ten days and pursuant to Rule 34(c) of the Hawai'i

Rules of Appellate Procedure, move for retention of oral argument.

DATED: Honolulu, Hawai'i, August 5, 2013.

Keith M. Kiuchi
for petitioner

Bruce H. Wakuzawa
for respondent

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

