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Supreme Court  
SCAP-13-0005781  
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SCAP-13-0005781

IN THE SUPREME COURT OF THE STATE OF HAWAII

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SURFRIDER FOUNDATION; HAWAII'S THOUSAND  
FRIENDS; KA IWI COALITION; and KAHEA - THE  
HAWAIIAN-ENVIRONMENTAL ALLIANCE,  
Petitioners/Plaintiffs-Appellants,

vs.

ZONING BOARD OF APPEALS, CITY & COUNTY OF HONOLULU;  
DIRECTOR OF THE DEPARTMENT OF PLANNING &  
PERMITTING, CITY & COUNTY OF HONOLULU; KYO-YA  
HOTELS & RESORTS LP; AND 20,000 FRIENDS OF LABOR,  
Respondents/Defendants-Appellees.

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APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CAAP-13-0005781; CIV. NO. 13-1-0874-03)

ORDER DENYING MOTION FOR RECONSIDERATION  
(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack JJ.,  
with Wilson, J., dissenting separately)

Upon consideration of the motion for reconsideration  
submitted on February 11, 2016, by Surfrider Foundation, Hawaii's  
Thousand Friends, Ka Iwi Coalition, and Kahea - The Hawaiian-  
Environmental Alliance and the records and files herein,

IT IS HEREBY FURTHER ORDERED that Surfrider's motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, February 19, 2016.

Linda M. B. Paul  
for petitioners  
Surfrider Foundation et al.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack



Peter T. Kashiwa,  
Lisa Woods Munger,  
Randall C. Whattoff,  
David J. Hoftiezer and  
Lisa A. Bail  
for respondent Kyo-Ya  
Hotels & Resorts, LP

William Meheula and  
Natasha Baldauf  
for respondent 20,000  
Friends of Labor

Donna Y. L. Leong,  
Don S. Kitaoka and  
Brad T. Saito  
for respondent Department  
of Planning and Permitting  
City and County of Honolulu