

NO. 30259

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

WALTER Y.C. CHANG, Individually and as Trustee under that certain unrecorded Trust Agreement of Walter Yin Choy Chang dated August 3, 1982, and SYLVIA S.W. CHANG, Individually and as Trustee under that certain unrecorded Trust Agreement of Sylvia Seu Way Chang, dated August 3, 1982, Plaintiffs-Appellees, v. EADEAN MICHIE BUFFINGTON, Defendant-Appellant/Cross-Appellee, and STEVE MONTGOMERY CROUCH, NAOMI HOKULANI CROUCH, HOKULANI SQUARE, INC., INVESTORS FUNDING CORPORATION, Defendants-Appellees, and DOE DEFENDANTS 1-100, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 05-1-1708)

ORDER DENYING JUNE 14, 2010
HRAP RULE 40 MOTION FOR RECONSIDERATION OF
JUNE 4, 2010 ORDER DISMISSING APPEAL AND CROSS-APPEAL
(By: Foley, Presiding Judge, Fujise and Reifurth, JJ.)

Upon review of (1) the June 4, 2010 order dismissing Defendant/Appellant/Cross-Appellee Eadeen Michie Buffington's (Appellant Buffington) appeal and Third-Party Defendant/Appellee/Cross-Appellant Integrity Escrow and Title Company, Inc., fka First Financial Title and Escrow Agency of Hawaii, Inc.'s (Cross-Appellant IETCI), cross-appeal from the Honorable Robert J. Farris's December 2, 2009 "Order Granting Plaintiffs' Petition for Determination of Good Faith Settlement Pursuant to Haw. Rev. State. § 663-15.5 Filed on July 21, 2009" (the December 2, 2009 United States Bankruptcy Court order) in Case No. 07-00504 in the United States Bankruptcy Court for the District of Hawaii, (2) Appellant Buffington and Cross-Appellant IETCI's June 14, 2010 motion to reconsider the June 4, 2010 order of dismissal pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

(HRAP) and (3) the record, it appears that we did not overlook or misapprehend any points of law or fact when we entered the June 4, 2010 order of dismissal. Therefore,

IT IS HEREBY ORDERED that Appellant Buffington and Cross-Appellant IETCI's June 14, 2010 HRAP Rule 40 motion to reconsider the June 4, 2010 order of dismissal is denied.

DATED: Honolulu, Hawai'i, June 21, 2010.

Presiding Judge

Associate Judge

Associate Judge