

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-13-0005374  
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NO. CAAP-13-0005374

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

KUHIO EBBTIDE DEVELOPMENT, INC.,  
Plaintiff-Appellee,  
v.  
CHARLES MORSE BARKER, III and JANICE MURDOCH,  
Defendants-Appellants  
and  
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;  
DOE CORPORATIONS 1-10; DOE GOVERNMENTAL AGENCIES 1-10;  
AND DOE ENTITIES 1-10, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 11-1-3056-12)

ORDER OF AMENDMENT

(By: Nakamura, Chief Judge, and Fujise and Reifurth, JJ.)<sup>1/</sup>

The Summary Disposition Order, filed on December 16, 2016, is hereby amended as follows:

On page 6, in the nineteenth line, the reference to "Rule 56(f)" should be changed to "Rule 56(e)".

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<sup>1/</sup> Associate Judge Daniel R. Foley was a member of the merit panel when the Summary Disposition Order in this case was filed, but he retired effective December 31, 2016. Associate Judge Lawrence M. Reifurth was subsequently assigned to the merit panel.

The clerk of the court is directed to take all necessary steps to notify the publishing agencies of this change.

DATED: Honolulu, Hawai'i, March 17, 2017.

*Craig H. Nakamura*

Chief Judge

*Charles S. Jones*

Associate Judge

*Lawrence M. Reiff*

Associate Judge