NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NAKAMURA, C.J., DISSENTING

For the reasons set forth in my Dissenting Opinion to this court's November 15, 2010, Memorandum Opinion, I would grant Plaintiff-Appellant's motion for reconsideration. Accordingly, I respectfully dissent from this court's order denying the motion.

Cray H. Nelsamura