Electronically Filed Intermediate Court of Appeals 28315 20-JAN-2011 10:37 AM

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

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KEE SUN KIM, Claimant/Appellant-Appellee, Cross-Appellee, vs.

LIBERTY MUTUAL FIRE INSURANCE COMPANY, Respondent/Appellee-Appellant, Cross-Appellee, and

J.P. SCHMIDT, Insurance Commissioner, Department of Commerce and Consumer Affairs, Appellee-Appellee, Cross-Appellant.

NO. 28315

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CIVIL NO. 06-1-0994)

ORDER OF CORRECTION (By: Nakamura, Chief Judge, for the court $^{1/}$ )

The Opinion of the Court, filed on December 23, 2010, is hereby corrected as follows:

1. On page 3, in the twentieth line, the citation to "§ 431-10C-212 (2005)" should be corrected to read "§ 431:10C-212 (2005)."

 $<sup>^{1/}</sup>$  Nakamura, Chief Judge, Foley, and Fujise, JJ.

## FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

- 2. On page 7, in the second line, the word "a" should be inserted between the words "was" and "passenger" so that as corrected, the text reads: ". . . she was a passenger in a vehicle . . . ."
- On page 16, in the first line, the word "and" 3. which appears after the word "simply" should be replaced with the word "an" so that as corrected, the text reads: " . . . and not simply an altruistic concern."
- On page 17, in the fourth line, the word "content" should be replaced with the word "contest" so that as corrected, the text reads: " . . . ability to contest . . .."

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

DATED: Honolulu, Hawai'i, January 20, 2011.

FOR THE COURT:

Craig V. Nakamura

Chief Judge