

Electronically Filed
Intermediate Court of Appeals
CAAP-12-0000061
12-OCT-2012
08:08 AM

CAAP-12-0000061

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

DANA NAONE HALL, Plaintiff-Appellant,

v.

DEPARTMENT OF LAND AND NATURAL RESOURCES,
BOARD OF LAND AND NATURAL RESOURCES, WILLIAM J. AILA,
JR. in his official capacity as chairperson of the
Board of Land and Natural Resources and as the State
Historic Preservation Officer, PUAALAOKALANI AIU
in her official capacity as administrator of the State
Historic Preservation Division, DEPARTMENT OF HEALTH,
LORETTA J. FUDDY in her official capacity as the director
of the Department of Health, ALVIN T. ONAKA in his official
capacity as State Registrar of Vital Statistics and
Chief of the Department of Health's Office of Health
Status Monitoring, KAWAIAHA'O CHURCH, FRANK PESTANA
in his official capacity as the Chair of the Board of
Trustees and Chair of the Board of Directors of
Kawaiaha'o Church, John Does 1-10, Jane Does 1-10, and
Doe Partnerships, Corporations, Trusts, Governmental
Units or Other Entities 3-20, Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 09-1-1828-08)

ORDER DENYING DEFENDANTS-APPELLEES KAWAIAHA'O
CHURCH AND FRANK PESTANA'S MOTION FOR RECONSIDERATION
(By: Nakamura, C.J., and Leonard and Reifurth, JJ.)

Upon consideration of the "Motion for Reconsideration
of Order Granting Plaintiff-Appellant's Second Motion for

Preliminary Injunction Pending Appeal Filed on September 28, 2012," which was filed on October 5, 2012, by Defendants-Appellees Kawaiaha'o Church and Frank Pestana, in his official capacity as the Chair of the Board of Trustees and Board of Directors of Kawaiaha'o Church,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, October 12, 2012.

Craig H. Nakamura

Chief Judge

[Signature]

Associate Judge

Jawane M. Rieftel

Associate Judge