

NO. 27707

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

COUNTY OF HAWAI'I, a municipal corporation of the State of
Hawai'i, Respondent-/Plaintiff-/Counterclaimant-
Defendant-Appellee/Cross-Appellee,

vs.

ALA LOOP HOMEOWNERS, an unincorporated association,
Respondent-/Defendant-/Counterclaimant-/Cross-Claimant-
Appellee/Cross-Appellant,

and

WAI'OLA WATERS OF LIFE CHARTER SCHOOL, a public school
organized under the law of the State of Hawai'i,
Respondent-/Defendant-/Cross-Claim Defendant-
Appellant/Cross-Appellee;

and

ALA LOOP COMMUNITY ASSOCIATION, an unincorporated non-profit
association, Petitioner-/Defendant-/Counterclaimant-/
Cross-Claimant-/Third-Party Plaintiff-Appellee/Cross-Appellant;

vs.

LAND USE COMMISSION, STATE OF HAWAI'I, Respondent-/
Third-Party Defendant-Appellee/Cross-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 03-1-0308)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Nakayama, Duffy, and
Recktenwald, JJ., with Acoba, J., dissenting)

Respondent-/Defendant-/Cross-Claim Defendant-

Appellant/Cross-Appellee Wai'ola Waters of Life Charter School

(Wai'ola) timely filed a Motion for Reconsideration on July 19,

2010 (Motion), asking this court to reconsider our July 9, 2010

K. HAMAKAHE
CLERK, APPELLATE COURT
STATE OF HAWAII

2010 AUG 31 AM 10:06

FILED

opinion (Opinion). Pursuant to this court's July 26, 2010 order, Petitioner-/Defendant-/Counterclaimant-/Cross-Claimant-/Third-Party Plaintiff-Appellee/Cross-Appellant Ala Loop Community Association (Ala Loop) timely filed a Response to Waiola's Motion (Response), and Wai'ola timely filed a Reply.

This court, having reviewed the Motion, together with the Opinion, and the records and files in this case, and having fully considered the arguments set forth in the Motion, Response, and Reply,

IT IS HEREBY ORDERED that the Motion is denied.

DATED: Honolulu, Hawai'i, August 31, 2010.



Pamela Nakemane

James E. Duffy, Jr.

Mark Redmond