

NO. 28840

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KONA VILLAGE REALTY, INC.; BRENDA TSCHIDA; AND
ROBERT TSCHIDA, Respondents/Plaintiffs-Appellees,

vs.

SUNSTONE REALTY PARTNERS, XIV, LLC; and SUNSTONE
REALTY PARTNERS, IX, LLC, Petitioners/Defendants-Appellants,

and

SUNSTONE REALTY PARTNERS, LLC; SUNSTONE REALTY, LLC;
CURTIS D. DEWEESE, an individual; MICHELLE MATUSEK, an
individual; RICK WILSON, an individual, Respondents/
Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 05-1-88K)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Moon, C.J., for the court¹)

Upon consideration of the motion for reconsideration, filed by petitioners/defendants-appellants Sunstone Realty Partners, XIV, LLC and Sunstone Realty Partners, IX, LLC on August 23, 2010, the papers in support thereof, and the record herein,

IT IS HEREBY ORDERED that the motion for reconsideration is denied. Associate Justice Acoba and substitute justice Crandall, having dissented from the majority's Order Affirming the January 25, 2010 Judgment of the Intermediate Court of Appeals, filed August 12, 2010, disagree and would grant the motion for reconsideration.

DATED: Honolulu, Hawai'i, August 30, 2010.

FOR THE COURT:

¹ Considered by: Moon, C.J., Nakayama, and Duffy, JJ.; Acoba, J., and Circuit Judge Crandall, in place of Recktenwald, J., recused, disagree.

Chief Justice