IN THE SUPREME COURT OF THE STATE OF HAWAI'I

C. BREWER AND COMPANY, LIMITED, a Hawaii Corporation, Respondent/Plaintiff-Appellee,

vs.

HAWAII INSURANCE GUARANTY ASSOCIATION, a statutorily created non-profit unincorporated legal entity, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIV. NO. 05-1-0543)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI AS UNTIMELY

(By: Duffy, J., for the court¹)

Petitioner/Defendant-Appellant Hawaii Insurance

Guaranty Association's application for writ of certiorari, filed

on August 18, 2010, is hereby dismissed as untimely.

DATED: Honolulu, Hawai'i, August 27, 2010.

FOR THE COURT:

Associate Justice

Kevin P.H. Sumida for petitioner/ defendant-appellant on the application

Gary G. Grimmer and Nathaniel A. Higa for respondent/plaintiffappellee on the response

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