

NO. 28641

IN THE SUPREME COURT OF THE STATE OF HAWAII

CIV. NO. 02-1-0691

KRISTIE TOKUHISA, Court-Appointed Class Representative,  
individually and on behalf of all others similarly situated,  
Petitioner/Plaintiff-Appellant,

and

CYNTHIA ALTMAN and KELLY MULLER, individually and on behalf  
of all others similarly situated, Plaintiffs,

vs.

CUTTER MANAGEMENT CO.; CUTTER MOTOR CARS, INC.; CUTTER  
DODGE, CHRYSLER, PLYMOUTH, JEEP OF PEARL CITY, INC. dba  
CUTTER DODGE CHRYSLER PLYMOUTH JEEP OF PEARL CITY,  
Respondents/Defendants/Third-Party Plaintiffs/  
Counterclaim Defendants-Appellees,

and

RED SWAN INCORPORATED, Respondent/Defendant-Appellee,

vs.

SAFE-GUARD PRODUCTS INTERNATIONAL, INC.  
Respondent/Third-Party Defendant/Counterclaim  
Plaintiff-Appellee.

KHAMTAN TANHCHALEUN  
CLERK APPELLATE COURTS  
STATE OF HAWAII

2010 JUL 19 PM 2:28

FILED

CIV. NO. 02-1-2915

KRISTIE TOKUHISA, Court-Appointed Class Representative,  
individually and on behalf of all others similarly situated,  
Petitioner/Plaintiff-Appellant,

and

WALTER CALIZO, ROCHELLE MOLINA, FERILA PEREZ, FRANCISCO ANCHETA,  
KELLY ANCHETA, KHAMTAN TANHCHALEUN, and CHOU TANHCHALEUN,  
individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

CUTTER MANAGEMENT CO.; CUTTER DODGE, INC.; RAINBOW CHEVROLET,  
INC.; CUTTER FORD, INC.; CUTTER IMPORTS, INC.; CUTTER  
MOTOR CARS, INC.; CUTTER OF WAIPAHU, INC.; and CUTTER  
PONTIAC, BUICK, GMC OF WAIPAHU, INC.,  
Respondents/Defendants/Cross-Claim Plaintiffs/  
Cross-Claim Defendants-Appellees,

and

RED SWAN INCORPORATED; Respondent/Defendant-Appellee,

and

SAFE-GUARD PRODUCTS INTERNATIONAL INC.,  
Respondent/Defendant/Cross-Claim Defendant/  
Cross-Claim Plaintiff-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIV NOS. 02-1-0691 & 02-1-2915)

ORDER DISMISSING CERTIORARI PROCEEDING

(By: Nakayama, Acting C.J., Acoba, and Duffy, JJ.,  
Circuit Judge Perkins in place of Moon C.J., recused  
and Circuit Judge Border in place of Recktenwald, J., recused)

Upon further consideration of the records and files in  
this case, it appearing that the writ of certiorari herein was  
improvidently granted,

IT IS HEREBY ORDERED that this certiorari proceeding is  
dismissed.

DATED: Honolulu, Hawai'i, July 19, 2010.

*Paula A. Nakayama*  
*[Signature]*  
*Samuel E. Duffy, Jr.*  
*Richard K. Perkins*  
*Patricia W. Border*