

**Electronically Filed  
Supreme Court  
SCWC-10-000044  
27-DEC-2011  
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NO. SCWC-10-000044

IN THE SUPREME COURT OF THE STATE OF HAWAII

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JULIANNE NGUYEN BERRY, Respondent/Plaintiff-Appellee,

vs.

WAYNE FOSTER BERRY, Petitioner/Defendant-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. CAAP-10-000044; FC-D NO. 06-1-0211)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, Acoba, Duffy, McKenna, JJ.;  
and Nakayama, J., dissenting)

The Application for Writ of Certiorari filed on November 10, 2011 by Petitioner/Defendant-Appellant, Wayne Foster Berry is hereby accepted and will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawai'i, December 27, 2011.

/s/ Mark E. Recktenwald

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

