

**Electronically Filed  
Supreme Court  
SCWC-29210  
28-DEC-2011  
11:09 AM**

NO. SCWC-29210

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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CFI INC., a Hawai‘i Corporation,  
Respondent/Plaintiff/Appellant,

vs.

HAMAKUA COAST REALTY, INC., a Hawai‘i Corporation,  
and DENIS FERRARI, Respondents/Defendants/Appellees,

and

ERNEST B. TEXEIRA,  
Respondent/Defendant-Third-Party Plaintiff/Appellee

and

ALA KAI REALTY, INC., a Hawai‘i Corporation,  
Petitioner/Defendant-Third-Party Plaintiff/Appellee,

and

TEX INC., a Hawai‘i Corporation, et al.,  
Respondent/Defendant/Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 29210; CIV. NO. 06-1-0380 (HILO))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, Duffy, and McKenna, JJ., and Circuit  
Court Judge Sakamoto, in place of Acoba, J., recused)

Petitioner/Defendant-Third-Party Plaintiff/Appellee

Ala Kai Realty, Inc.'s application for writ of certiorari, filed  
on November 22, 2011, is hereby rejected.

DATED: Honolulu, Hawai'i, December 28, 2011.

Dwayne Stephen Lerma and  
Jo Anne E. Goya (Lerma &  
Goya) for petitioner/  
defendant-third-party  
plaintiff/appellee  
on the application.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

Douglas L. Halsted,  
for respondent/plaintiff/  
appellant on the opposition.

/s/ Karl K. Sakamoto

