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SCWC-10-0000026

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

PFLUEGER PROPERTIES; PILA'A 400, LLC, Respondents/Plaintiffs-Appellees,

VS.

ESTATE OF BENJAMIN B. CASSIDAY, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. CAAP-10-0000026; S.P. NO. 10-1-0227)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

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

Petitioner/Defendant-Appellant Estate of Benjamin B. Cassiday's Application for Writ of Certiorari filed on November 28, 2011, is hereby rejected.

DATED: Honolulu, Hawai'i, January 4, 2012.

Richard Wilson for Petitioner/Defendant-Appellant, on the application

Joachim Cox and Robert Fricke for Respondents/ Plaintiffs-Appellees on the response /s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

/s/ Colette Y. Garibaldi

