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Supreme Court  
SCWC-29491  
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NO. SCWC-29491

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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**CIVIL NO. 05-1-0947**

LON WILLIAMS, Individually and as Personal Representative  
of the ESTATE OF ALACIA WILLIAMS, Deceased,  
Petitioner/Plaintiff-Appellant,  
vs.  
MARC HENDERSON and STATE OF HAWAI'I,  
Respondents/Defendants-Appellees,  
and  
LORRIE ANN MONIZ and CITY AND COUNTY OF HONOLULU, Defendants,  
and  
STATE OF HAWAI'I, Defendant/Third-Party Plaintiff-Appellee,  
vs.  
KARIN R. WILLIAMS; CITY AND COUNTY OF HONOLULU; and GIRL SCOUT  
COUNCIL OF HAWAI'I, Third-Party Defendants-Appellees.

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**CIVIL NO. 05-1-0846**

ALAN GOTO, Individually and as Personal Representative of the  
ESTATE OF RYAN GOTO, Deceased; DAVID BEGA; and PAUL JAVIER,  
Petitioners/Plaintiffs-Appellants,  
vs.  
MARC HENDERSON; KARIN R. WILLIAMS; GIRL SCOUT COUNCIL OF HAWAI'I;  
STATE OF HAWAI'I, Respondents/Defendants-Appellees,  
and  
LORRIE ANN MONIZ, Defendant,  
and  
STATE OF HAWAI'I, Third-Party Plaintiff-Appellee,  
vs.  
CITY AND COUNTY OF HONOLULU, Third-Party Defendant-Appellee.

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**CIVIL NO. 05-1-1045**

KARIN WILLIAMS, Petitioner/Plaintiff-Appellant,  
vs.  
MARC HENDERSON; STATE OF HAWAI'I,  
Respondents/Defendants-Appellees,  
and  
LORRIE ANN MONIZ, Defendant,  
and  
STATE OF HAWAI'I, Third-Party Plaintiff-Appellee,  
vs.  
CITY AND COUNTY OF HONOLULU, Third-Party Defendant-Appellee.

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**CIVIL NO. 05-1-0883**

GEORGIE-ANN GOTO, Individually and as Guardian of the Property  
of BOWEN GOTO, a minor, Petitioner/Plaintiff-Appellant,  
vs.  
MARC HENDERSON; KARIN R. WILLIAMS; GIRL SCOUT COUNCIL OF HAWAI'I;  
STATE OF HAWAI'I, Respondents/Defendants-Appellees,  
and  
STATE OF HAWAI'I, Cross-Plaintiff,  
vs.  
CITY AND COUNTY OF HONOLULU, Cross-Defendant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 29491; CIV. NOS. 05-1-0947, 05-1-0846,  
05-1-1045 and 05-1-0883)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Nakayama, Acoba, and Pollack, JJ., and Circuit  
Judge Castagnetti, in place of McKenna, J., recused,  
with Recktenwald, C.J., dissenting)

The Application for Writ of Certiorari filed on August  
24, 2012 by Petitioners/Plaintiffs-Appellants Alan Goto;  
Individually and as Personal Representative of the Estate of Ryan  
Goto, Deceased; David Bega; Paul Javier; Lon Williams,  
Individually and as Personal Representative of the Estate of  
Alacia Williams; Karin Williams, and Georgie-Ann Goto,

Individually and as Guardian of the Property of Bowen Goto is hereby rejected.

DATED: Honolulu, Hawai'i, October 8, 2012.

James J. Bickerton,  
for petitioners Alan Goto,  
David Bega, and Paul Javier

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

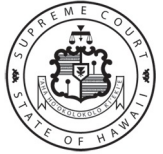
James T. Leavitt, Jr., for  
petitioner Georgie-Ann Goto

/s/ Richard W. Pollack

/s/ Jeannette H. Castagnetti

Charles J. Ferrera, for  
petitioner Karin Williams

Robin M. Kishi and Caron  
M. Inagaki, for respondent  
State of Hawai'i



DISSENT BY RECKTENWALD, C.J.

I respectfully dissent. For the reasons articulated in Chief Judge Nakamura's dissenting opinion in Williams v. Henderson, No. 29491, 2012 WL 1951389 (App. May 31, 2012) (SDO), I would grant the petitioners' application.

/s/ Mark E. Recktenwald