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Supreme Court  
SCWC-30677  
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SCWC-30677

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MANUEL D. SOUND and THOMPSON PHILLIP,  
on behalf of themselves and all similarly situated persons,  
Petitioners/Plaintiffs-Appellants,

vs.

STATE OF HAWAI'I, DEPARTMENT OF HUMAN SERVICES;  
PATRICIA McMANAMAN<sup>1</sup> in her capacity as Director  
of the State of Hawai'i, Department of Human Services;  
STATE OF HAWAI'I, DEPARTMENT OF HUMAN SERVICES,  
MED-QUEST DIVISION; DR. KENNETH FINK, in his capacity  
as State of Hawai'i, Department of Human Services,  
Med-Quest Division Administrator,  
Respondents/Defendants-Appellees.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(SCWC-30677; CIV. NO. 09-1-2022)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Petitioners/Plaintiffs-Appellants' Application for Writ  
of Certiorari, filed on November 8, 2013, is hereby rejected.

DATED: Honolulu, Hawai'i, December 12, 2013.

Paul Alston,  
J. Blaine Rogers,  
and Maile Osika  
for petitioners

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

Heidi M. Rian,  
John F. Molay and  
Lee-Ann N.M. Brewer  
for respondents

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack



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<sup>1</sup>During the pendency of this action, Pat McManaman succeeded Lillian B. Koller. Thus, pursuant to Hawai'i Rules of Appellate Procedure Rule 43(c) (1), Patricia McManaman has been substituted automatically for Lillian B. Koller.