

SCWC-30384

IN THE SUPREME COURT OF THE STATE OF HAWAII

MAKANI OLU PARTNERS, LLC,¹ Respondent/Plaintiff-Appellee,

vs.

HARVEY AH SAM, PATRICK AH SAM, FREDERICK K. BAILEY, JR.,
KENNETH D. KAHOOHANOHANO, RICHERT M. KAMAIOPILI, SUSAN K.
KOEHLER, MAEBELLE M. LIBRANDO, IRADAY U. BAILEY, PATRICK E.K.
BAILEY, PETER L. BAILEY, ROBERT ALLEN BELL, PATRICK K.T. CHU,
ROCHELLE J. GARDANIER, CHARLES KAULUWEHI MAXWELL, SR., JUDITH L.
NAGAMINE, JACQUELINE KUAHINE AMINA RAPOZA, JANICE L. REVELLS,
CLOVIS GYETVAI, ELIZABETH KEALA HAN, GLENN F. KAHOOHANOHANO,
HELENE R. SARONITMAN, HANNAH E.H. SOUZA, LILLIE LANI BAILEY
MUNDON, CHARLES E. ST. GERMAIN, and WAYNE CHUN,
Petitioners/Defendants-Appellants,

and

KALUPUNA (k) and his wife, KEKUI (w); KAHOLOLIO (w),
also known as HOLOLIO HENNESSEE (w), heirs or assigns,
and ALL WHOM IT MAY CONCERN,
Respondents/Defendants.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30384; CIV. NO. 02-1-0071(3))

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

The Application for Writ of Certiorari filed on August
18, 2013 by Harvey Ah Sam, Patrick Ah Sam, Frederick K. Bailey,

¹ On September 13, 2007, Makani Olu Partners, LLC was substituted as Plaintiff in place of Wailuku Agribusiness Co., Inc. via stipulation and order.

Jr., Kenneth D. Kahoohanohano, Richert M. Kamaiopili, Susan K. Koehler, Maebelle M. Librando, Iraday U. Bailey, Patrick E.K. Bailey, Peter L. Bailey, Robert Allen Bell, Patrick K.T. Chu, Rochelle J. Gardanier, Charles Kauluwehi Maxwell, Sr., Judith L. Nagamine, Jacqueline Kuahine Amina Rapoza, Janice L. Revells, Clovis Gyetvai, Elizabeth Keala Han, Glenn F. Kahoohanohano, Helene R. Saronitman, Hannah E.H. Souza, Lillie Lani Bailey Mundon, Charles E. St. Germain and Wayne Chun is hereby rejected.

DATED: Honolulu, Hawai'i, October 3, 2013.

Kevin H.S. Yuen and
Brienne L.O. Wong Leong,
for petitioners

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

James W. Geiger,
for respondent

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

