

**Electronically Filed
Supreme Court
SCWC-10-0000046
20-MAR-2014
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SCWC-10-0000046

IN THE SUPREME COURT OF THE STATE OF HAWAII

SAFEWAY INC.,
Petitioner/Plaintiff-Appellee,

vs.

NORDIC PCL CONSTRUCTION, INC., a Hawaii corporation,
Respondent/Defendant-Appellant,

and

VERSAFLEX INCORPORATED, a Missouri corporation,
CB TECH SERVICES, INC., a Hawaii corporation,
HAWAII NUT & BOLT, INC., a Hawaii corporation,
CASCADE INDUSTRIES, INC., a Hawaii corporation,
Respondents/Defendants-Appellees,

and

CASCADE INDUSTRIES, INC.,
Respondent/Third-Party Plaintiff-Appellee,

v.

GRANT HENRY, and DIVISION SEVEN CONSULTING OF HAWAII, INC.,
Respondents/Third-Party Defendants-Appellees,

and

VERSAFLEX INCORPORATED, a Missouri corporation,
Respondent/Third-Party Plaintiff-Appellee,

v.

BENNER STANGE ASSOCIATES ARCHITECTS, INC.,
Respondent/Third-Party Defendant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-10-0000046; CIV. NO. 09-1-1414-06)

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

Petitioner/Plaintiff-Appellee Safeway Inc.'s
application for writ of certiorari filed on February 12, 2014, is
hereby rejected.

DATED: Honolulu, Hawai'i, March 20, 2014.

Terrence J. O'Toole
and Judith Ann Pavey
for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

David Schulmeister and
Jeffrey M. Osterkamp
for respondent

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Colette Y. Garibaldi

