NO. 27868

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DAVID C. FARMER, on behalf of the Bankruptcy ESTATE OF DANIEL T. KEOMALU, Petitioner/Plaintiff/Counterclaim Defendant-Appellant,

vs.

HICKAM FEDERAL CREDIT UNION, Respondent/Defendant/Counterclaim Plaintiff/Third-Party Plaintiff-Appellee; and GERARD AUYONG and STEPHEN Y.H. KWOCK, Respondents/Defendants-Appellees,

vs.

CUTTER PONTIAC, BUICK, GMC OF WAIPAHU, INC. and CJW MOTORS, INC., Third-Party Defendants.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIV. NO. 04-1-0732)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Duffy, J., for the court<sup>1</sup>)

Petitioner/Plaintiff/Counterclaim Defendant-Appellant

David C. Farmer, on behalf of the Bankruptcy Estate of Daniel T.

Keomalu's application for writ of certiorari, filed on May 19,

2010, is hereby rejected.

DATED: Honolulu, Hawaiʻi, June 29, 2010.

FOR THE COURT:

Associate Justice

R. Steven Geshell, for petitioner/plaintiff/ counterclaim defendantappellant on the application

<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ. and Circuit Judge Wilson, in place of Recktenwald, J., recused.

Shelton G.W. Jim On for respondent/defendantappellee Stephen Y.H. Kwock on the response

Jeffrey S. Harris for respondent/defendant/ counterclaim plaintiff/ third-party plaintiff-appellee Hickam Federal Credit Union and respondent/defendant-appellee Gerard Auyong on the response