

NO. 28477

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HUI MALAMA I NA KUPUNA O HAWAI'I NEI,
a Hawai'i non-profit corporation,
PAULETTE KA'ANOHIOKALANI KALEIKINI,
Petitioners/Plaintiffs-Appellants

vs.

WAL-MART, a Delaware corporation doing
business in Hawai'i; STATE OF HAWAI'I;
LAURE THIELEN, in her official capacity
as the Director of the Department of Land
and Natural Resources of the State of Hawai'i;
DEPARTMENT OF LAND AND NATURAL RESOURCES;
STATE HISTORIC PRESERVATION DIVISION;
PUA AIU, in her official capacity as
the Administrator of the State Historic
Preservation Division of the Department of
Land and Natural Resources; CITY AND COUNTY
OF HONOLULU; DEPARTMENT OF PLANNING AND
PERMITTING FOR THE CITY AND COUNTY OF
HONOLULU; DAVID TANOUE, in his official
capacity as the Director of the Department
of Planning and Permitting for the City
and County of Honolulu,
Respondents/Defendants-Appellees

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 03-1-1112)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: Acoba, J., for the court¹)

The Application for Writ of Certiorari filed on
April 8, 2010 by Petitioners/Plaintiffs-Appellants Hui Malama I

¹ Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and
Recktenwald, JJ.

Na Kupuna O Hawai'i Nei and Paulette Ka'anohiokalani Kaleikini is hereby rejected.

DATED: Honolulu, Hawai'i, May 17, 2010.

FOR THE COURT:

Associate Justice

Alan T. Murakami,
Moses K.N. Haia III, and
David Kimo Frankel
(Native Hawaiian Legal
Corporation), for
petitioners/
plaintiffs-appellants.

C. Michael Heihre,
Kelly G. Laporte,
Allison Mizuo Lee, and
Christopher T. Goodin
(Cades Schutte), for
respondent/
defendant-appellee
Wal-Mart.

Carrie K.S. Okinaga,
Corporation Counsel,
Don S. Kitaoka and
Jesse K. Souki, Deputies
Corporation Counsel, City
and County of Honolulu,
for respondents/defendants-
appellees City and
County of Honolulu,
Department of Planning
and Permitting, and
David Tanoue.

Isaac Hall for amicus
curiae Hui Alanui o Makena.