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SCWC-28243

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALLSTATE INSURANCE COMPANY, Respondent/Plaintiff-Appellee/Cross-Appellant,

vs.

ALBERTO A. F. SILVA, Petitioner/Defendant-Appellant/Cross-Appellee,

and

BRIAN E. PONCE, et. al., Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIVIL NO. 98-502)

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

The Application for Writ of Certiorari filed on March 9, 2011 by Alberto A. F. Silva, Petitioner/Defendant-

 $^{\rm l}$ Considered by: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna JJ.

Appellant/Cross-Appellee, is hereby rejected.

DATED: Honolulu, Hawaiʻi, April 19, 2011.

FOR THE COURT:

/s/ Sabrina S. McKenna

Associate Justice



Phillip L. Carey, for Petitioner/Defendant-Appellant/ Cross-Appellee, Alberto A. F. Silva