

**Electronically Filed  
Supreme Court  
SCWC-29892  
18-MAY-2011  
10:40 AM**

SCWC-29892

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CITY AND COUNTY OF HONOLULU,  
Respondent/Plaintiff/Appellee,

vs.

JAMES M. SMITH and ROBERT H. LEE,  
Petitioners/Defendants/Appellants.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIVIL NO. 08-1-0192)

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

The Application for Writ of Certiorari filed on  
April 12, 2011 by James M. Smith and Robert H. Lee,  
Petitioners/Defendants/Appellants, is hereby rejected.

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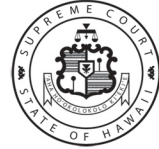
<sup>1</sup> Considered by: Nakayama, Acting C.J., Acoba and McKenna JJ., and Circuit Judge Lee, in place of Rectenwald, C.J., recused, and Circuit Judge Nishimura, in place of Duffy, J., recused.

DATED: Honolulu, Hawai'i, May 18, 2011.

FOR THE COURT:

/s/ Sabrina S. McKenna

Associate Justice



Of Counsel:

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