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Supreme Court
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NO. SCCQ-11-0000747

IN THE SUPREME COURT OF THE STATE OF HAWAII

BERT VILLON and MARK APANA, Plaintiffs,

vs.

MARRIOTT HOTEL SERVICES, INC., dba WAILEA MARRIOTT RESORT,
Defendant.

RENELDO RODRIGUEZ and JOHNSON BASLER, on behalf of
themselves and all others similarly situated, Plaintiffs,

vs.

STARWOOD HOTELS & RESORTS WORLDWIDE, INC.,
dba WESTIN MAUI RESORT & SPA, Defendant.

ORIGINAL PROCEEDING

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

Upon consideration of the plaintiffs' motion for reconsideration of the November 8, 2011 ruling on the certified question, it appears that the motion for reconsideration -- filed on November 21, 2011 -- was not filed within 10 days after the filing of the November 8, 2011 ruling. See HRAP 40(a) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling

unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved.").
Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied as untimely.

DATED: Honolulu, Hawai'i, November 28, 2011.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

