Electronically Filed Supreme Court SCWC-11-0001034 18-JAN-2013 10:22 AM

## SCWC-11-0001034

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

FRANCISCO ALVAREZ, Respondent/Claimant-Appellee,

vs.

KYO-YA, INC., dba SHERATON WAIKIKI HOTEL, Respondent/Employer-Appellee,

and

FIRST INSURANCE COMPANY OF HAWAII, LTD., Respondent/Insurance Carrier-Appellee,

and

ADJUSTING SERVICES OF HAWAII, INC., Respondent/Third-Party Administrator-Appellee,

vs.

EMERSON M.F. JOU, M.D., Petitioner/Intervenor-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-11-00001034; AB NO. 2009-305 (2-94-05744))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Nakayama, Acting C.J., Acoba, McKenna, and Pollack, JJ., and Circuit Judge Sakamoto, in place of Recktenwald, C.J., recused) Petitioner/Intervenor-Appellant's application for writ of certiorari, filed on December 20, 2012, is hereby rejected. DATED: Honolulu, Hawai'i, January 18, 2013.

Stephen M. Shaw for petitioner

Laurie E. Keeno for respondents Kyo-ya, Inc., dba Sheraton Waikiki Hotel and First Insurance Company of Hawaii, Ltd.

- /s/ Paula A. Nakayama
- /s/ Simeon R. Acoba, Jr.
- /s/ Sabrina S. McKenna
- /s/ Richard W. Pollack
- /s/ Karl K. Sakamoto