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## SCWC-12-0000535

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MATHEW S. MIKELSON, Respondent/Plaintiff-Appellee,

vs.

UNITED SERVICES AUTOMOBILE ASSOCIATION, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-12-0000535; CIV. NO. 99-1856-05)

AMENDED¹ ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

The application for writ of certiorari filed on August 20, 2013 by Petitioner United Services Automobile Association is hereby rejected.

DATED: Honolulu, Hawai'i, October 3, 2013.

Kevin P.H. Sumida and Ward F.N. Fujimoto, for petitioner

Gregory W. Kugle and Tred R. Eyerly, for respondent

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack



 $<sup>^{1}</sup>$  The original order filed on October 3, 2013 is amended to correct the misspelling of Respondent's last name.