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SCWC-11-0000350

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Arbitration

of

NORDIC PCL CONSTRUCTION, INC., fka NORDIC CONSTRUCTION, LTD.,
Respondent/Claimant/Counterclaim Respondent-Appellant,

vs.

LPIHGC, LLC,
Petitioner/Respondent/Counterclaimant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-11-0000350; S.P. NO. 10-1-0346)

ORDER GRANTING MOTION FOR RECONSIDERATION

(By: Nakayama, Acting C.J., McKenna, and Pollack, JJ.,
and Circuit Judge Alm, in place of Recktenwald, C.J., recused,
and Circuit Judge Sakamoto, in place of Wilson, J., recused)

Upon consideration of Respondent/Claimant/Counterclaim
Respondent-Appellant Nordic PCL Constructions, Inc.'s motion for
reconsideration filed on August 3, 2015,

IT IS HEREBY ORDERED that the motion is granted. The
published opinion filed on July 23, 2015, is amended as follows:

1. The first full sentence on page 4 is amended to
read, "Accordingly, we vacate the ICA's April 4, 2014 Judgment
on Appeal, and the circuit court's March 24, 2011 Final

Judgment, thereby vacating the associated orders (1) granting LPIHGC's motion to confirm the Arbitration Award, and (2) denying Nordic's motion to vacate the Arbitration Award, and remand this case to the circuit court for an evidentiary hearing and entry of findings of fact and conclusions of law on Nordic's motion to vacate.²" The text of footnote 2 remains unchanged.

2. The last sentence on page 62 is amended to read, "Accordingly, we vacate the ICA's April 4, 2014 Judgment on Appeal, and the circuit court's March 24, 2011 Final Judgment, thereby vacating the associated orders (1) granting LPIHGC's motion to confirm the Arbitration Award, and (2) denying Nordic's motion to vacate the Arbitration Award, and remand this case to the circuit court for further proceedings consistent with this opinion."

An Amended Opinion, which includes the two corrections above and all of the corrections noted in the Order of Correction filed on July 27, 2015, will be filed contemporaneously with this Order.

DATED: Honolulu, Hawai'i, August 12, 2015.

Anna H. Oshiro
for respondent

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Steven S. Alm

/s/ Karl K. Sakamoto

