

Electronically Filed
Supreme Court
SCWC-12-0000645
22-SEP-2016
08:12 AM

SCWC-12-0000645

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HANNAH HARRISON,
Respondent/Petitioner/Appellant/Appellant,

vs.

GORDON I. ITO, INSURANCE COMMISSIONER,
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS,
STATE OF HAWAI'I,
Respondent/Respondent/Appellee-Appellee,

and

EVERCARE,
Petitioner/Respondent/Appellee-Appellee.

(SCWC-12-0000645; CAAP-12-0000645;
CIV. NO. 11-1-2903-11; HER-11-156920)

JENIVIE DELOS REYES, FRANKLIN BIDDINGER, FLOYD HAYES,
JOHN VILLANUEVA, and TEHINE AVILLA,
Respondents/Petitioners/Appellants-Cross-Appellees/Appellants,

vs.

GORDON I. ITO, INSURANCE COMMISSIONER,
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS,
STATE OF HAWAI'I,
Respondent/Respondent/Appellee-Appellee,

and

EVERCARE,
Petitioner/Respondent/Appellee-Cross-Appellant/Appellee.

(SCWC-12-0000646; CAAP-12-0000646;
CIV. NO. 11-1-2533; HER-11-156817,
11-156241, 11-156361, 11-156251 & 11-155842)

AUDREY DELOS SANTOS,
Respondent/Petitioner/Appellant/Appellant,

vs.

GORDON I. ITO, INSURANCE COMMISSIONER,
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS,
STATE OF HAWAII,
Respondent/Respondent/Appellee-Appellee,

and

EVERCARE,
Petitioner/Respondent/Appellee-Appellee.

(SCWC-12-0000647; CAAP-12-0000647;
CIV. NO. 11-1-2542-10; HER-10-154685)

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS

SUMMARY DISPOSITION ORDER

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Petitioner/Respondent-Appellee-Cross-Appellant/Appellee

UnitedHealthcare Insurance Company formerly doing business as Evercare (UnitedHealthcare) applies for writ of certiorari, challenging the Intermediate Court of Appeals's (ICA) August 19, 2015 Judgment issued pursuant to its June 30, 2015 Memorandum Opinion and August 19, 2015 Order of Correction. The ICA vacated final judgments of the Circuit Court of the First Circuit

(circuit court) that were entered on June 20, 2012 in Civil No. 11-1-2903-11, Civil No. 11-1-2542-10, and Civil No. 11-1-2533-10. Upon consideration of UnitedHealthcare's appeal, the specific facts of these cases, together with all submissions in support thereof, we conclude that the circuit court had subject matter jurisdiction over each of the consolidated cases. The ICA's judgment vacating the circuit court's judgments is affirmed.¹

DATED: Honolulu, Hawai'i, September 22, 2016.

Dianne Winter Brookins
and Morgan Early
for petitioner

/s/ Mark E. Recktenwald

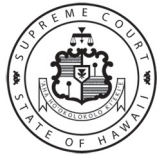
/s/ Paula A. Nakayama

Rafael G. Del Castillo
for respondents

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson



¹ Although we affirm the ICA's disposition in this case, we do not endorse the ICA's interpretation of Hawai'i Management Alliance Association v. Insurance Commissioner, 106 Hawai'i 21, 100 P.3d 952 (2004).