

Electronically Filed
Supreme Court
SCWC-13-0003065
27-OCT-2016
10:03 AM

SCWC-13-0003065

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KILAKILA 'O HALEAKALĀ, Petitioner/Appellant-Appellant,

vs.

BOARD OF LAND AND NATURAL RESOURCES, DEPARTMENT OF LAND AND
NATURAL RESOURCES, SUZANNE CASE, in her official capacity as
Chairperson of the Board of Land and Natural Resources, and
UNIVERSITY OF HAWAI'I, Respondents/Appellees-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-13-0003065; CIV. NO. 12-1-3070)

ORDER GRANTING IN PART AND
DENYING IN PART MOTION FOR RECONSIDERATION
(By: Recktenwald, C.J., Nakayama, and McKenna, JJ.,
with Pollack, J., dissenting, and Wilson, J., dissenting)

Upon consideration of Petitioner/Appellant-Appellant
Kilakila 'O Haleakalā's motion for reconsideration filed on
October 17, 2016, the papers in support thereof, and the records
and files herein,

IT IS HEREBY ORDERED that the motion is granted in part

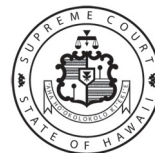
in accordance with the Order of Correction filed herewith;
otherwise, the motion is denied.

DATED: Honolulu, Hawai'i, October 27, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna



DISSENT

For the reasons set forth in my dissenting opinion
filed on October 6, 2016, I would grant the motion for
reconsideration.

/s/ Richard W. Pollack

DISSENT

For the reasons set forth in my dissenting opinion and
Parts IA and II of the dissenting opinion by Pollack, J., both
filed on October 6, 2016, I would grant the motion for
reconsideration.

/s/ Michael D. Wilson