

**Electronically Filed
Supreme Court
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SCWC-13-0003274

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SHAUN WRIGHT and ANNETT WRIGHT,
Petitioners and Respondents/
Plaintiffs/Counterclaim-Defendants/Appellees,

vs.

MIYAKE CONCRETE ACCESSORIES, INC.,
Respondent and Petitioner/Defendant/Counterclaim-Plaintiff/
Third-Party Plaintiff/Appellant,

and

MIYAKE CONCRETE ACCESSORIES, INC.,
Third-Party Plaintiff/Appellant,

vs.

SAMUEL S. KIYABU, dba KIYABU CONSTRUCTION, INC.,
SANDPIPER CONSTRUCTION, INC., a Hawai'i Corporation,
DESPINS GENERAL CONSTRUCTION, INC., a Hawai'i Corporation,
BRIAN SHIMOMURA and BRIAN SHIMOMURA AND ASSOCIATES, LLC,
a Hawai'i Limited Liability Company,
Third-Party Defendants/Appellees,
(CIVIL NO. 09-1-0748(3))

DESPINS GENERAL CONSTRUCTION, INC.,
Plaintiff/Counterclaim-Defendant/Appellee,

vs.

SHAUN WRIGHT and ANNETT WRIGHT,
Defendants/Counterclaim-Plaintiffs/Appellees,

and

SHAUN WRIGHT and ANNETT WRIGHT,
Counter-Claimants/Appellees,

vs.

DESPINS GENERAL CONSTRUCTION, INC.,
Counter-Defendant/Appellee
(CIVIL NO. 10-1-0191(3))

MIYAKE CONCRETE ACCESSORIES, INC., a Hawai'i Corporation,
Plaintiff/Appellant,

vs.

BRIAN S. SHIMOMURA and BRIAN SHIMOMURA AND ASSOCIATES, LLC,
a Hawai'i Liability Company,
Defendants/Appellees.
(CIVIL NO. 11-1-0153(3))

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-13-0003274, CAAP-13-0000406 and CAAP-12-0001085;
CIVIL NOS. 09-1-0748(3), 10-1-0191(3) and 11-1-0153(3))

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

Petitioners and Respondents/Plaintiffs/Appellees' application for writ of certiorari filed on March 10, 2017 and Respondent and Petitioner/Defendant/Appellant-Petitioner's application for writ of certiorari filed on March 13, 2017, are hereby rejected.

DATED: Honolulu, Hawai'i, April 24, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

