

NOS. CAAP 13-0001699,
CAAP-15-0000516 AND CAAP-15-0000517

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CAAP-13-0001699

LORNA SOUZA, TRUSTEE OF THE IRENE K. TAKAHAMA TRUST
DATED NOVEMBER 19, 1992, AS AMENDED, AND THE LAWRENCE I.
TAKAHAMA TRUST DATED NOVEMBER 19, 1992, Plaintiff-Appellee,
v.
ELIZABETH FISHER, Defendant-Appellant

CAAP-15-0000516

LORNA SOUZA, TRUSTEE OF THE IRENE K. TAKAHAMA TRUST
DATED NOVEMBER 19, 1992, AS AMENDED, AND THE LAWRENCE I.
TAKAHAMA TRUST DATED NOVEMBER 19, 1992, Plaintiff/Counterclaim
Defendant-Appellant,
v.
ELIZABETH FISHER, Defendant/Counterclaim
Plaintiff-Appellee

CAAP-15-0000517

LORNA SOUZA, TRUSTEE OF THE IRENE K. TAKAHAMA TRUST
DATED NOVEMBER 19, 1992, AS AMENDED, AND THE LAWRENCE I.
TAKAHAMA TRUST DATED NOVEMBER 19, 1992, Plaintiff/Counterclaim
Defendant-Appellee,
v.
ELIZABETH FISHER, Defendant/Counterclaim
Plaintiff-Appellant

APPEALS FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CIVIL CASE NO. 1RC12-1-000925)

ORDER DENYING MOTION FOR LEAVE
TO FILE LATE MOTION FOR RECONSIDERATION
AND
DENYING MOTION FOR RECONSIDERATION
OF MEMORANDUM OPINION

(By: Fujise, Presiding Judge, Leonard and Ginoza, JJ.)

Upon consideration of the record, it appears that:

(1) On April 7, 2017, this court issued its Memorandum Opinion in these consolidated appeals;

(2) On April 13, 2017, this court issued an order granting Defendant/Counterclaim Plaintiff Elizabeth Fisher's (Fisher) request for additional time to file a motion for reconsideration from the Memorandum Opinion, allowing Fisher to file a motion for reconsideration no later than May 8, 2017;

(3) On May 9, 2017, Fisher filed an untimely "Motion for Reconsideration of Memorandum Opinion";

(4) On May 9, 2017, Fisher also filed a "Motion for Leave to File Late Motion for Reconsideration";

(5) Fisher's request for further extension of time is not authorized under Rule 40(a) of the Hawai'i Rules of Appellate Procedure (HRAP) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved.") (emphasis added); and

(6) In any event, Fisher fails to show good cause for a further extension.

Therefore, IT IS HEREBY ORDERED that:

(A) Fisher's "Motion for Leave to File Late Motion for Reconsideration" is denied; and

(B) Fisher's "Motion for Reconsideration of Memorandum Opinion" is denied as untimely under HRAP Rule 40.

DATED: Honolulu, Hawai'i, May 10, 2017.

Presiding Judge

Associate Judge

Associate Judge