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SCAP-13-0003607

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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KRISHNA NARAYAN; SHERRIE NARAYAN; VIRENDRA NATH; NANCY MAKOWSKI; KEITH MACDONALD, as Co-Trustee for the DKM Trust dated October 7, 2011; SIMON YOO; SUMIYO SAKAGUCHI; SUSAN RENTON; Individually and as Trustee for The Renton Family Trust dated 12/3/09; STEPHEN XIANG PANG; FAYE WU LIU; MASSY MEHDIPOUR, Individually and as Trustee for Massy Mehdipour Trust dated June 21, 2006; G. NICHOLAS SMITH; TRISTINE SMITH; RITZ 1303 RE, LLC, a Colorado Limited Liability Company; CLIFFORD W. CHAFFEE; BRADLEY CHAFFEE, Individually and as Trustee of the Charles V. Chaffee BRC Stock Trust dated 12/1/99, and the Clifford W. Chaffee BRC Stock Trust dated 1/4/98, GARY S. ANDERSON, RONALD W. LORENZ, and RENEE Y. LORENZ, Plaintiffs-Appellees,

vs.

MARRIOTT INTERNATIONAL, INC.; THE RITZ-CARLTON DEVELOPMENT COMPANY, INC.; THE RITZ-CARLTON MANAGEMENT COMPANY, LLC; JOHN ALBERT; EDGAR GUM; THE RITZ-CARLTON HOTEL COMPANY, LLC; MARRIOTT VACATIONS WORLDWIDE CORPORATION; MARRIOTT OWNERSHIP RESORTS, INC.; MARRIOTT TWO FLAGS, LP; and MH KAPALUA VENTURE, LLC, Defendants-Appellants,

and

MAUI LAND & PINEAPPLE CO., INC.; EXCLUSIVE RESORTS, LLC; KAPALUA BAY, LLC; ASSOCIATION OF APARTMENT OWNERS OF KAPALUA BAY CONDOMINIUM; CAROLINE PETERS BELSOM; CATHY ROSS; ROBERT PARSONS; RYAN CHURCHILL; MLP KB PARTNER LLC; KAPALUA BAY HOLDINGS, LLC; ER KAPALUA INVESTORS FUND, LLC; ER KAPALUA INVESTORS FUND HOLDINGS, LLC; EXCLUSIVE RESORTS DEVELOPMENT COMPANY, LLC; and EXCLUSIVE RESORTS CLUB I HOLDINGS, LLC, Defendants-Appellees.

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APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CAAP-13-0003607; CIV. NO. 12-1-0586)

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of Defendants-Appellants Marriott International, Inc., et al.'s motion for reconsideration of the summary disposition order filed on July 14, 2017, Exclusive Resorts, LLC, et al.'s joinder in the motion for reconsideration and the record herein,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, August 9, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Karen T. Nakasone

