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NO. CAAP-16-0000200

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CAROLYN UYEDA and JAY UYEDA, Petitioners-Appellees, v.
EVAN SCHERMER, Respondent-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(CASE NO. 3SS 15-1-153K)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Fujise and Leonard, JJ.,
with Nakamura, C.J., dissenting)

Upon consideration of Respondent-Appellant Evan Schermer's Motion for Reconsideration filed on October 9, 2017, the papers in support and the record and files herein,

IT IS HEREBY ORDERED that said motion is denied.

DATED: Honolulu, Hawaii, October 18, 2017.

On the motion:

Walter J. Rodby,
for Respondent-Appellant.


Associate Judge


Associate Judge

DISSENTING OPINION BY NAKAMURA, C.J.

For the reasons set forth in my dissent to this court's September 29, 2017 Summary Disposition Order, I would grant Respondent-Appellant Evan Schermer's motion for reconsideration. Accordingly, I respectfully dissent from this court's order denying the motion for reconsideration.


Chief Judge