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Supreme Court  
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SCWC-12-0000758 and SCWC-12-0000070

IN THE SUPREME COURT OF THE STATE OF HAWAII

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KE KAILANI PARTNERS, LLC, a Hawaii limited liability company,  
Respondent/Plaintiffs-Appellees,

vs.

KE KAILANI DEVELOPMENT LLC, a Hawaii limited  
liability company and MICHAEL J. FUCHS, Individually,  
Petitioners/Defendants-Appellants,

and

DIRECTOR OF FINANCE, REAL PROPERTY DIVISION, COUNTY  
OF HAWAII; KE KAILANI COMMUNITY ASSOCIATION; THE ASSOCIATION  
OF VILLA OWNERS OF KE KAILANI; MAUNA LANI RESORT ASSOCIATION,  
Respondents/Defendants-Appellees.

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KE KAILANI DEVELOPMENT LLC, a Hawaii limited  
liability company and MICHAEL J. FUCHS, individually,  
Respondents/Counterclaimants-Appellants,

vs.

BANK OF HAWAII, as agent for itself and for CENTRAL  
PACIFIC BANK and FINANCE FACTORS, LIMITED; BANK OF  
HAWAII; CENTRAL PACIFIC BANK; FINANCE FACTORS, LIMITED,  
Respondents/Counterclaim Defendants-Appellees.

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KE KAILANI DEVELOPMENT LLC, a Hawaii limited liability  
company and MICHAEL J. FUCHS, individually,  
Respondents/Third-Party Plaintiffs-Appellants,

vs.

MARY MILES MORRISON, Trustee under the Mary Miles  
Morrison Trust dated October 2, 1986,  
Respondent/Third-Party Defendant-Appellee,

and

ASSOCIATION OF VILLA OWNERS OF KE KAILANI; KE KAILANI COMMUNITY  
ASSOCIATION; BENJAMIN R. JACOBSON; ROBERT BATINOVICH;  
STEPHEN B. and SUSAN L. METTER; HARRY and BRENDA MITTELMAN; UTALY,  
LLC; GORDON E. and BETTY I. MOORE, Trustees; ROY and ROSANN  
TANAKA; MICHAEL G. and LINDA E. MUHONEN; MICHAEL O. HALE; BARRY  
and CAROLYN SHAMES, Trustees; KATONAH DEVELOPMENT LLC; DAVID R.  
and HE GIN RUCH; NORTHERN TRUST CORPORATION;  
BANK OF HAWAII, as agent for itself and for CENTRAL PACIFIC BANK  
and FINANCE FACTORS, LIMITED; BANK OF HAWAII; CENTRAL PACIFIC  
BANK; FINANCE FACTORS, LIMITED; DISPUTE PREVENTION AND RESOLUTION,  
Respondents/Third-Party Nominal Defendants-Appellees.

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KE KAILANI DEVELOPMENT LLC, a Hawaii limited liability  
company and MICHAEL J. FUCHS, individually,  
Respondents/Fourth-Party Plaintiffs-Appellants,

vs.

MARY MILES MORRISON, Trustee; BENJAMIN R. JACOBSON;  
NORTHERN TRUST CORPORATION; BANK OF HAWAII, as agent for itself  
and for CENTRAL PACIFIC BANK and FINANCE FACTORS, LIMITED;  
BANK OF HAWAII; CENTRAL PACIFIC BANK; FINANCE FACTORS, LIMITED,  
Respondents/Fourth-Party Defendants-Appellees,

and

ASSOCIATION OF VILLA OWNERS OF KE KAILANI; KE KAILANI COMMUNITY  
ASSOCIATION; BENJAMIN R. JACOBSON; STEPHEN B. and SUSAN L. METTER;  
HARRY and BRENDA MITTELMAN; UTALY, LLC; GORDON E. and BETTY I.  
MOORE, Trustees; ROY and ROSANN TANAKA; MICHAEL G. and LINDA E.  
MUHONEN; MICHAEL O. HALE; BARRY and CAROLYN SHAMES, Trustees;  
KATONAH DEVELOPMENT LLC; DAVID R. and HE GIN RUCH,  
Respondents/Fourth-Party Nominal Defendants-Appellees.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-12-0000070; CAAP-12-0000758; CIVIL NO. 09-1-2523-10)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

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

The application for writ of certiorari, filed on  
February 12, 2018, is hereby rejected.

DATED: Honolulu, Hawai'i, April 6, 2018.

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Glenn J. Kim

