

NO. CAAP-14-0001120

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

IN THE MATTER OF THE WILLIAM AND MARY FONTANA EXEMPT
GENERATION SKIPPING TRUST FOR THE BENEFIT OF
JAMES A. FONTANA, DATED DECEMBER 31, 2010

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(TRUST NO. 11-1-0167)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Ginoza, Chief Judge, Fujise and Reifurth, JJ.)

Upon consideration of "Petitioner-Appellant James A. Fontana, Deceased's [(Fontana)] Motion for Reconsideration of the Order Dismissing Appeal as Moot, Filed on January 29, 2019," filed on February 8, 2019 (Motion for Reconsideration) through his attorney, Gary Y. Shigemura, and the papers in support, as well as the record in this case, notwithstanding that there is a pending Probate Court action 1LP191000002 and hearing scheduled for March 7, 2019 to appoint a personal representative in the probate of the estate of James A. Fontana, the court did

not overlook material points of law or fact in its decision to dismiss this appeal as moot.

Therefore, IT IS HEREBY ORDERED that the Motion for Reconsideration is denied.

DATED: Honolulu, Hawai'i, February 14, 2019.

Chief Judge

Associate Judge

Associate Judge