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Supreme Court  
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SCWC-15-0000960

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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IN THE MATTER OF  
THE ELAINE EMMA SHORT REVOCABLE LIVING TRUST AGREEMENT  
DATED JULY 17, 1984, as amended.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-15-0000960; T. NO. 15-1-0165)

DISSENT TO ORDER DENYING MOTION FOR RECONSIDERATION  
(By: Recktenwald, C.J., with whom Nakayama, J., joins)

As set forth in my concurrence in part and dissent in part to this court’s June 18, 2020 opinion, I conclude that the Intermediate Court of Appeals did not err by examining the extrinsic evidence in the record to affirm or vacate the probate court’s order. For this reason, and the other reasons stated in my concurrence and dissent, I would grant Respondent David Short’s Motion for Reconsideration filed on June 29, 2020.

DATED: Honolulu, Hawai‘i, June 30, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

