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Intermediate Court of Appeals
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NO. CAAP-19-0000065

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR
CITIGROUP MORTGAGE LOAN TRUST INC., MORTGAGE-BACKED
NOTES, SERIES 2005-11, Plaintiff-Appellee,
v.

HOWARD E. GREENBERG; DENISE C. GREENBERG,
Defendants-Appellants,

and

WELLS FARGO BANK, N.A.; KE ALI'I KAI ASSOCIATION, INC.,
Defendants-Appellees,

and

JOHN and MARY DOES 1-20, DOE PARTNERSHIPS,
CORPORATIONS or OTHER ENTITIES 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 16-1-0554(1))

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Hiraoka, Presiding Judge, and Wadsworth and McCullen, JJ.)

Upon consideration of Defendant-Appellant Denise C. Greenberg's (**Denise**) "Motion for Reconsideration of the Summary Disposition Order Filed October 27, 2023" (**Motion for Reconsideration**), filed on November 6, 2023, the papers in support, and the record, it appears that:

(1) This appeal arises out of a foreclosure action brought by Plaintiff-Appellee US Bank National Association, as Trustee for Citigroup Mortgage Loan Trust Inc., Mortgage-Backed Notes, Series 2005-11 (**US Bank**) against Defendants-Appellants Denise and Howard E. Greenberg (collectively, the **Greenbergs**) and other defendants.

(2) Denise seeks reconsideration of the court's Summary Disposition Order, filed on October 27, 2023;

(3) Denise does not present new evidence or arguments that could not have been presented in her June 13, 2023 memorandum in opposition to U.S. Bank's motion to dismiss this appeal, or in the Greenbergs' October 2, 2023 response to this court's September 18, 2023 Order to Show Cause, see Citizens for Equitable & Responsible Gov't v. County of Hawai'i, 108 Hawai'i 318, 335, 120 P.3d 217, 234 (2005); and

(4) Denise presents no point of law or fact that this court overlooked or misapprehended. See Hawai'i Rules of Appellate Procedure Rule 40(b).

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

DATED: Honolulu, Hawai'i, November 16, 2023.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge