

**Electronically Filed
Intermediate Court of Appeals
CAAP-21-0000400
15-JAN-2025
08:26 AM
Dkt. 107 ODMR**

NO. CAAP-21-0000400

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

THE BANK OF NEW YORK MELLON formerly known as THE BANK OF NEW
YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC.
ASSET-BACKED CERTIFICATES, SERIES 2006-11, Plaintiff-Appellee,
v.
BRENDA MERLE WHITE; ASSOCIATION OF APARTMENT OWNERS OF KUMELEWAI
COURT; MILILANI TOWN ASSOCIATION, Defendants-Appellees,
and
GABI KIM COLLINS, Defendant-Appellant,
and
JOHN DOES 1-20; JANE DOES 1-20; DOE CORPORATIONS 1-20; DOE
ENTITIES 1-20 AND DOE GOVERNMENTAL UNITS 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CC181000644)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Nakasone, Presiding Judge, and McCullen, J.)¹

Upon consideration of Defendant-Appellant Gabi Kim
Collins's (**Collins**) January 9, 2025 Motion for Reconsideration

¹ Associate Judge Keith K. Hiraoka did not participate in the
ruling on this motion.

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

(**Motion**) from the Intermediate Court of Appeals Summary Disposition Order filed on December 30, 2024, pursuant to Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 40, and the record and files herein, it appears that:

(1) Collins does not "present new evidence and/or arguments that could not have been presented" earlier, Chen v. Mah, 146 Hawai'i 157, 172, 457 P.3d 796, 811 (2020) (citation omitted);

(2) Collins does not present any point of law or fact that we overlooked or misapprehended. See HRAP Rule 40(b); and

(3) Collins's argument that Associate Judge Hiraoka should have recused himself due to his former law firm's representation of a party in an unrelated 2013 lawsuit involving Collins, and that such alleged conflict of interest entitles her to reconsideration, lacks merit.²

Therefore, IT IS ORDERED that the Motion is denied.

DATED: Honolulu, Hawai'i, January 15, 2025.

/s/ Karen T. Nakasone
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

² Collins's Motion was not filed under HRAP Rule 5 and in any event does not comply with that rule.