

**Electronically Filed
Intermediate Court of Appeals
CAAP-21-0000669
13-JAN-2025
08:04 AM
Dkt. 85 ODMR**

NO. CAAP-21-0000669

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

PL III, LLC, a Hawaii limited liability company;
ARICK B. YANAGIHARA; MICHAEL H. NEKOB;
WILLIAM G. BOYLE; and ANITA MATSUZAKI,
Plaintiffs/Counterclaim Defendants-Appellants,
v.

PUU LANI RANCH CORP., a Hawaii Corporation,
Defendant/Counterclaimant-Appellee,
and

F. NEWELL BOHNETT, as Trustee under that certain unrecorded
Revocable Living Trust Agreement dated July 29, 1981, made by F.
Newell Bohnett, as Settlor; and F. NEWELL BOHNETT, in his
individual capacity, Defendants-Appellees,
and

DOE COUNTERCLAIM DEFENDANTS 1-20,
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NO. 3CC11100433K)

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of "[Plaintiffs/Counterclaim
Defendants-]Appellants PL III, LLC, a Hawaii limited liability
company; Arick B. Yanagihara; Michael H. Nekoba; William G.

Boyle; and Anita Matsuzaki's [(**Plaintiffs**)] Motion for Reconsideration of Intermediate Court of Appeals December 23, 2024 Summary Disposition Order" (**Motion for Reconsideration**), filed on January 2, 2025, it appears that:

(1) Plaintiffs move for reconsideration of the court's Summary Disposition Order, filed on December 23, 2024; and

(2) The Motion for Reconsideration presents no point of law or fact that this court overlooked or misapprehended.¹

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, January 13, 2025.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge

¹ We note that the Hawai'i Supreme Court's decision in Noel Madamba Contracting LLC v. Romero, 137 Hawai'i 1, 364 P.3d 518 (2015), was decided four years before this court issued its memorandum opinion in PL III, LLC v. Puu Lani Ranch Corp., No. CAAP-14-0001115, 2019 WL 2281269 (mem. op.) (Haw. App. May 29, 2019) (the **First Appeal**), and the "new facts" recited in Madamba about Judge Yim's relationship with Cades Schutte could and should have been raised by motion for supplemental briefing before the First Appeal was decided or, at the latest, by a motion for reconsideration - asking this court to expand the scope of the mandate on remand - after our memorandum opinion in the First Appeal was entered.