

**Electronically Filed
Intermediate Court of Appeals
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NOS. CAAP-20-0000603

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

DAVID KIMO FRANKEL, Plaintiff-Appellant, v.
BOARD OF LAND AND NATURAL RESOURCES, DEPARTMENT OF LAND AND
NATURAL RESOURCES AND RESORTTRUST HAWAII LLC,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CC181001959)

ORDER OF CORRECTION
(By: Hiraoka, J.)

IT IS HEREBY ORDERED that the Opinion of the court,
filed on January 29, 2025 (docket no. 153) in the above case is
corrected as follows:

On page 6 of the *Opinion by Hiraoka, J. Concurring in
Part and Dissenting in Part*, first full paragraph, line 4, change
the apostrophe (') to an 'okina (') so those lines are corrected
to read, "That "is a question of law, and will be reviewed de
novo." Kia'i Wai v. Dep't of Water, 151 Hawai'i 442, 454, 517
P.3d 725, 737 (2022)."

On page 6 of the *Opinion by Hiraoka, J. Concurring in
Part and Dissenting in Part*, first full paragraph, line 8, delete

the 'okina in Kaua'i Springs so the line is corrected to read,
"Id. at 455, 517 P.3d at 738 (quoting Kauai Springs, 133 Hawai'i
at 164, 324 P.3d at 974)."

The Clerk of the Court is directed to take all
necessary steps to notify the publishing agencies of this change.

DATED: Honolulu, Hawai'i, June 16, 2025.

/s/ Keith K. Hiraoka
Associate Judge