

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000735

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

WAIMANA ENTERPRISES INC.; SANDWICH ISLES COMMUNICATIONS, INC.;
PA MAKANI LLC; and CLEARCOM, INC., Plaintiffs-Appellants,
v.

DEPARTMENT OF HAWAIIAN HOME LANDS; HAWAIIAN HOMES COMMISSION;
HAWAIIAN HOMES COMMISSIONS TRUSTEES KALI WATSON,
WALTER KANEAKUA, ARCHIE KALEPA, PAULINE NAMU'O, LAWRENCE LASUA,
MAKAI FREITAS, SANOE MARFIL, and MICHAEL KALEIKINI,
IN THEIR OFFICIAL CAPACITY, Defendants-Appellees¹

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CCV-22-0000617)

ORDER

(By: Nakasone, Chief Judge, Wadsworth and McCullen, JJ.)

Upon consideration of Plaintiffs-Appellants Waimana Enterprises Inc., Sandwich Isles Communications, Inc., Pa Makani LLC, and Clearcom, Inc.'s (collectively, **Appellants**) October 28, 2025 "Motion for Reconsideration of Summary Disposition Order

¹ Pursuant to Hawai'i Rules of Evidence Rule 201 and Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 43(c)(1), we take judicial notice that Kali Watson, Walter Kaneakua, Archie Kalepa, Pauline Namu'o, Lawrence Lasua, Makai Freitas, Sanoe Marfil, and Michael Kaleikini are current Hawaiian Homes Commissions Trustees and are automatically substituted as Defendants-Appellees in place of William J. Aila, Jr., Patricia Kahanamoku-Teruya, Russell Kaupu, Randy Awo, Zachery Helm, Dennis Neves, and David B. Ka'apu.

Filed on October 20, 2025 [Dkt. 68]," pursuant to HRAP Rule 40, and the record and files herein, it appears that Appellants do not present any point of law or fact that we overlooked or misapprehended. See HRAP Rule 40(b).

Therefore, IT IS ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, November 5, 2025.

/s/ Karen T. Nakasone
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge