

**Electronically Filed
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SCWC-22-0000364

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

NAVATEK CAPITAL INC., individually and derivatively on
behalf of Nominal Defendant PacMar Technologies LLC,
fka Martin Defense Group, LLC, fka Navatek LLC,
Respondent/Plaintiff-Appellee,

vs.

MARTIN KAO,
Petitioner/Defendant/Cross-Claim Defendant-Appellant,

and

PACMAR TECHNOLOGIES LLC,
fka Martin Defense Group, LLC, fka Navatek LLC,
Respondent/Nominal Defendant/Cross-Claimant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-22-0000364; CASE NO. 1CCV-20-0001511)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ.,
and Circuit Judge Copeland, assigned by reason of vacancy)

Petitioner Martin Kao's Application for Writ of
Certiorari, filed on October 29, 2025, is hereby accepted and
will be scheduled for oral argument. The parties will be
notified by the appellate clerk regarding scheduling.

IT IS FURTHER ORDERED that the parties shall submit supplemental briefing on the following:

1. What constitutes "sufficient cause for postponement" under HRS § 658A-23(a)(3)?
2. What factors should be considered in deciding whether a civil proceeding in Hawai'i should be stayed due to pending criminal charges based on Article I, Section 10 of the Hawai'i Constitution?

Within thirty days from the date of this order, each party shall file a supplemental brief, not exceeding twenty pages in length, exclusive of title page(s), indices, appendices, and certificate of service. No responses shall be filed.

DATED: Honolulu, Hawai'i, December 23, 2025.

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Rebecca A. Copeland

