

NO. 22381

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MARGUERITE HANAKEAWE aka Marguerite Hanakeawe Johnston,
and DENNIS HANAKEAWE,
Plaintiffs-Appellants/Appellees/Cross-Appellees,

and

OLIVIA MAILE, MEDEIROS AQUINO, JOYCE LOKELANI OLGA MEDEIROS
FARIAS, DIANA KILANI HANAKEAWE FURTADO, RICHARD SEMONA GAUDIA,
RUBEN HINANO GAUDIA, OLINDA APRIL KALEI CAPISO GAUDIA
KAMAKAHI, ODELLA PIILANI GAUDIA NAKANELUA, DAVID KALEI
HANAKEAWE, DORIS KAULAAIHAWANE KAMAHELE HANAKEAWE,
DENISE KAIULANI HANAKEAWE, DONNA KILOHANA HANAKEAWE,
DUANE KAIPO HANAKEAWE, DAVERY KAMANU HANAKEAWE,
DUENNA KUUIPO HANAKEAWE, FRANCINE LOLA KAMAILE ESCALONA
PESTANA, and DORIS KALUA HANAKEAWE PREUSS,
Appellants/Appellees/Cross-Appellees,

vs.

LEHO MANAGEMENT CO., INC., a corporation, KBD, INC.,
a Nevada Corporation, NAKILUA HEIRS OF NAKILAU, KEAKA,
HEIRS OF KEAKA, KOHANANUE aka Kahananui aka Hananui,
HEIRS OF KOHANANUE, KEKUHEWA, HEIRS OF KEKUHEWA, KEKAA,
HEIRS OF KEKAA, C.C. EAKIN, HEIRS OF H.P. EAKIN, SARAH
KALAHIKI, HEIRS OF SARAH KALAHIKI, STATE OF HAWAI'I,
DEPARTMENT OF LAND AND NATURAL RESOURCES, UNITED STATES OF
AMERICA, by its National Parks Service, NATIONAL PARK SERVICE,
JOHN DOES 1-10, JANE DOES 1-10, DOE CORPORATIONS 1-10, DOE
ENTITIES 1-10, DOE GOVERNMENTAL AGENCIES 1-10, and all other
NOTICE persons, firms, corporations claiming any right,
title and interest or lien in the real properties described
in Plaintiffs' complaint, by, thorough or under any named
Defendant and Unknown persons generally,
Defendants-Appellees/Appellees/Cross-Appellees,

and

NANSAY HAWAII, INC., a Hawaii Corporation,
Defendant-Crossclaimant-Appellee/Appellee/Cross-Appellant,

and

HEIRS OF KAPENA, HEIRS OF NAAUKIUKIU, HEIRS OF KEAKA,
HEIRS OF KEKUHEWA, HEIRS OF KOHANANUI aka Kahananui or

Hananui, HEIRS OF KAHAPEA, HEIRS OF KEKAA, HEIRS OF KALIHIOLE, HEIRS OF S.W. KAHAPEA, HEIRS OF JOSEPH NALUA KAHAPEA, HEIRS OF DANIEL ALIELA KAHAPEA, HEIRS OF KAIWI KAHAPEA, HEIRS OF FRANK PIULU KAHAPEA, HEIRS OF MABEL KALEI KAHAPEA, HEIRS OF MARVIN ARRUDA, HEIRS OF MARY KAIWI KAHAPEA KAELEMAKULE, HEIRS OF FRANK KAHAPEA, HEIRS OF KALEI KAHAPEA, JOSEPH NAILAU, JR., ESTATE OF MARGUERITE HANAKEAWE JOHNSTON, JOYCE LOLEKANI OLGA FARIAS, OLIVIA MAILE MEDEIROS AQUINO, RICHARD SIMEONA GAUDIA, ODELLA PIILANI NAKANELUA, OLINDA A.K.C. KAMAKAHI, FRANCINE L.K. PESTANA, HEIRS OF DAVID KANE HANAKEAWE, DONNA KILOHANA HANAKEAWE, DIANA KILANI FURTADO, DUENA KUUPIO HANAKEAWE, DAVID KALEI HANAKEAWE, DORIS KAPIOLANI PREUSS, DUANE KAIPO HANAKEAWE, DENISE KAIULANI HANAKEAWE, DAVERY KAMANU HANAKEAWE, HEIRS OF SARAH KALAHIKI, HEIRS OF SARAH UNEA WO MUN WON, HEIRS OF JOSEPH KAMAKA, ULULANI HUDDLESTON, MARIAN CHANNELS, DORIS RUFINO, GLEN LILINOE, GEORGE LILINOE, GAIL PERREIRA, JOANN LEE, KAREN LILINOE, TRACY LILINOE, ALAN LILINOE, JOHN HUDDLESTON, JOHANNAH HUDDLESTON, HEIRS OF LILIAN WHITE, NATHAN WHITE, GREG WHITE, HEIRS OF EDWARD AIWOHI, ALICE PA, HEIRS OF ROSE KAHELE AIWOHI KOKI, CHARLENE KOKI aka Charlene Dew, ELMYRA SILVER, HEIRS OF SARAH KAWAI BERRY, HEIRS OF THEMA REESE, HEIRS OF WILLIAM REESE, BARBARA ARRUDA, HEIRS OF EDWARD REESE, ERNEST KALAHIKI, SHEILA FULLER, HEIRS OF H.P. EAKIN, DOROTHY EAKIN BAGLEY, WILLIAM H.C. EAKIN, HEIRS OF GERTRUDE EAKIN KING, SANDRA NELSON, PATRICIA ESKENAZI, HEIRS OF NAKILAU, ROBERT FREITAS, AMY FREITAS, PHOEBE GOMES, ROSELINE BORING, ROSE BLACKBURN, STATE OF HAWAII, JOHN DOES 1-100, JANE DOES 1-100, DOE CORPORATIONS 1-10, DOE ENTITIES 1-10, DOE GOVERNMENTAL AGENCIES 1-10, and all other persons, firms and corporations claiming any right, title and interest or lien in the real properties described in Plaintiffs' Complaint, by, through, or under any named party and Unknown persons generally, Crossclaim-Defendants-Appellees/Appellees/Cross-Appellees,

and

KATHY K. ARRUDA, MARVIN KALEOOKALANI ARRUDA, ROBYNN K.M.Y. ELLIOTT, LAURIE ANN KALEI KALAMA, MARCIA HEIDI ESTOCADO, RICHARD ESTOCADO, RICHARD LEE ESTOCADO, BERNICE J.K. LEIALOHA, MAXINE ESTOCADO, WINONA A. BELL, LANNY ARRUDA, PRISCILLA REED-ARRUDA, MELBA MAE EVANOFF, DARMON ARRUDA, MANULEEN LAW, DAYTON ARRUDA, JO ANN ARRUDA, DOUGLAS ARRUDA, NADINE MEDEIROS, LANCE ARRUDA, ROCHELLE WALLER, THOMAS KAELEMAKULE, FRANK KANUI POOHIWI KAHAPEA, ROBERTA KAHAPEA BEE, SYLVESTER K. KAHAPEA, ROBERT J.K. KAHAPEA, RONALD K. KAHAPEA, CHESTER FRANK P. KAHAPEA, LURLINE KAHAPEA, JOSEPH NALUA KAHAPEA, GEORGE P.K. KAHAPEA, Crossclaim-Defendants-Appellees/Appellants/Cross-Appellees.

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 90-316K)

ORDER DENYING MOTIONS FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, Ramil, JJ., and
Circuit Court Judge G. Chang, Assigned by Reason of Vacancy)

The motion for reconsideration filed on November 5, 2001 by the the plaintiffs-appellants/appellees/cross-appellees the Estate of Marguerite Hanakeawe (aka Marguerite Hanakeawe Johnston), Dennis Kane Hanakeawe (aka Dennis Hanakeawe), Olivia Maile Medeiros Aquino, Joyce Lokelani Olga Medeiros Farias, Diana Kilani Hanakeawe Furtado, Richard Semona Gaudia, Ruben Hinano Gaudia, Olinda April Kalei Capiso Gaudia Kamakahi, Odella Piilani Gaudia Nakanelua, David Kalei Hanakeawe, Doris Kaulaaihawane Kamahela Hanakeawe, Denise Kaiulani Hanakeawe, Donna Kilohana Hanakeawe, Duane Kaipo Hanakeawe, Davery Kamanu Hanakeawe, Duenna Kuuipo Hanakeawe, Francine Lola Kamaile Escalona Pestana, and Doris Kalua Hanakeawe Preuss, who are lineal descendants of Kalei Kahapea, deceased, and the motion for reconsideration filed on November 8, 2001 by the crossclaim defendants-appellees/appellants/cross-appellees Dayton Arruda, Darmon Arruda, Douglas Arruda, Kathy K. Arruda, Jo Ann Arruda, Lance Arruda, Lanny Arruda, Marvin Kaleookalani Arruda, Roberta Kahapea Bee, Winona A. Bell, Robyn K.M.Y. Elliott, Laurie Ann Kalei Kalama, Marsha Heidi Estocado, the Estate of Maxine Estocado, Richard Estocado, Richard Lee Estocado, Melba Mae Evanoff, Thomas Kaelemakule, George P.K. Kahapea (aka Chester George P.K. Kahapea), Chester Frank P. Kahapea, Frank Kanui Poohiwi Kahapea, Joseph Nalua Kahapea (aka Nalua Joseph Kahapea), Lurline Kahapea, Robert J.K. Kahapea, Ronald K. Kahapea, Sylvester K. Kahapea, Mauleen Law, Bernice J.K. Leialoha, Nadine Medeiros, Priscilla Reed Arruda, and Rochelle Walker, who are lineal descendants of Frank Piulu

Kahapea, deceased, respectively requesting that this court review its summary disposition order, filed on October 10, 2001, are hereby denied.

DATED: Honolulu, Hawai'i, December 24, 2001.

Richard Naiwieha Wurdeman,
for the heirs of Frank
Piulu Kahapea, on their
motion

Stephen K. Yamashiro, for
the Hanakeawes (heirs of
Kalei Kahapea), on their
motion