

NO. 22610

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

RODERICK CASINO; SHIRLY LAYUGAN; EVANGELINE LOSBOG;
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,
Plaintiffs-Appellants

vs.

STATE OF HAWAI'I, DEPARTMENT OF HEALTH; CHIYOME L. FUKINO, M.D.,¹
DIRECTOR, in her official capacity as Director, Department
of Health; LINDA LINGLE,² in her official capacity as
Governor of the State of Hawai'i; INTER-STATE PHARMACY
CORP.; PHARMACY CORPORATION OF AMERICA, Defendants-Appellees

and

JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10;
DOE PARTNERSHIPS 1-10; ROE NON-PROFIT ORGANIZATIONS 1-10;
and ROE GOVERNMENTAL ENTITIES 1-10, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-2127)

ORDER OF AMENDMENT

(By: Moon, C.J., Levinson, Nakayama,
Acoba, and Duffy, JJ.)

The Summary Disposition Order filed on December 29,
2003 is amended as follows (deletions are bracketed and additions
are double underscored):

¹ Pursuant to Hawai'i Rules of Appellate Procedure (HRAP)
Rule 43(c)(1), Chiyome L. Fukino, M.D., the current Director of the State of
Hawai'i Department of Health, has been substituted for Lawrence Miike, the
director at the time this case was decided by the first circuit court.

² Pursuant to HRAP Rule 43(c)(1), Linda Lingle, the current Governor
of the State of Hawai'i, has been substituted for Benjamin Cayetano, the
Governor at the time this case was decided by the first circuit court.

1. **Footnote 3 on page 2:** The Honorable [Kevin S.C. Chang] Marie N. Milks presided over this matter.
2. **Line 10 from the top of page 8:** DATED:
Honolulu, Hawai'i, December 29, 200[1]3.
3. **Line 1 from the bottom of page 8:** defendants-
appellees State of Hawai'i, Department of Health;
Chiyome L. Fukino, M.D., Director of the Department of
Health; and Linda Lingle, Governor, State of Hawai'i.
4. **The following is added to the attorney**
credits: Jeffrey S. Harris and Karen R. Tashima
(Torkildson, Katz, Fonseca, Jaffe, Moore &
Hetherington) for defendants-appellees Inter-State
Pharmacy Corp. and Pharmacy Corporation of America.

An amended opinion is being filed concurrently with this order, incorporating Nos. 1, 3, and 4 above. The Clerk of the Court is directed to provide a copy of this order and a copy of the amended opinion to the parties. The Clerk of the Court is further instructed to distribute copies of this order of amendment to those who received the previously filed order.

DATED: Honolulu, Hawai'i, January 12, 2004.