

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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BOBBIE L. FRENCH, Plaintiff-Appellant

vs.

HAWAII PIZZA HUT, INC., Defendant-Appellee

NO. 23985

MOTION FOR RECONSIDERATION
(CIV. NO. 98-2753)

SEPTEMBER 30, 2004

LEVINSON, ACOBA, AND DUFFY, JJ.;
AND MOON, C.J. AND NAKAYAMA, J., DISSENTING

Defendant-Appellee Hawaii Pizza Hut, Inc.'s motion for reconsideration filed on October 11, 2004, requesting that this court review its opinion filed on September 30, 2004, affirming in part and vacating and remanding in part the first circuit court's November 29, 2000 judgment in favor of Appellee and against Plaintiff-Appellant Bobbie L. French, is hereby denied.

DATED: Honolulu, Hawai'i, November 5, 2004.

John Knorek and Karen R.
Tashima (Torkildson, Katz,
Fonseca, Moore & Hetherington)
for defendant-appellee, on the
motion.

DISSENT

Chief Justice Moon and Associate Justice Nakayama, having dissented with respect to the issues raised in the motion for reconsideration, respectfully dissent and would grant reconsideration.