

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---o0o---

---

UNIVERSITY OF HAWAI'I, Appellant-Appellee

vs.

NELSON B. BEFITEL, DIRECTOR, DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS, Appellee-Appellant

and

MANAIAKALANI N.K. KALUA, Appellee

---

NO. 24270

MOTION FOR RECONSIDERATION  
(CIV. NO. 00-1-0443)

NOVEMBER 15, 2004

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

Upon consideration of the motion for reconsideration filed on June 25, 2004 by Appellee-Appellant Nelson B. Befitel, Director of the Labor and Industrial Relations, the papers in support and in opposition, and the record herein,

IT IS HEREBY ORDERED that the motion is denied.

Frances E.H. Lum and  
Robyn M. Kuwabe, Deputy  
Attorneys General, on  
the motion for Appellee-  
Appellant Director of  
Labor and Industrial  
Relations.

Ruth I. Tsujimura and  
Evelyn Tsuno, Associate  
General Counsels, University  
of Hawai'i, for Appellant-  
Appellee University of  
Hawai'i.

DISSENT BY ACOBA, J.

I respectfully dissent, and would grant the motion for  
reconsideration.