

**\*\*\* NOT FOR PUBLICATION \*\*\***

NO. 25165

IN THE SUPREME COURT OF THE STATE OF HAWAII

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STEVEN M. ROGERS, SUSII HEARST and RETIREMENT RESOURCES, INC.,  
fka PRECISION PRESS, INC., Petitioners-Appellees

vs.

MANECK B. MINOO, GASPARIAN & MINOO, LTD., fka HUFFMAN & MINOO,  
LTD., and PALMER GRAPHICS & PRINTING, Respondents-Appellants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 01-1-0487)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.  
and Circuit Judge Cardoza, assigned by reason of vacancy)

Respondents-appellants Maneck B. Minoo, Gasparian & Minoo, Ltd., fka Huffman & Minoo, Ltd., and Palmer Graphics & Printing [hereinafter, "Minoo"] appeal from the order and judgment of the circuit court of the first circuit, the Honorable Sabrina S. McKenna presiding, denying Minoo's motion to vacate the final arbitration award filed November 28, 2001 and granting petitioners-appellees Steven M. Rogers, Susii Hearst and Retirement Resources, Inc., fka Precision Press, Inc.'s [hereinafter, "Rogers"], counter-motion to confirm the final arbitration award filed November 28, 2001. On appeal, Minoo argues that the circuit court erred in affirming the arbitration award where the arbitrator had adjudicated (1) an issue for which there was a final judgment of the circuit court holding that the issue was not subject to arbitration, and (2) the debts of non-parties to the agreement to arbitrate. In contrast, Rogers

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argues that the circuit court correctly affirmed the arbitration award.

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised, we affirm the circuit court's judgment. Because the arbitrator adjudicated issues submitted by the parties concerning the interpretation of the Settlement Agreement, the arbitrator did not exceed the scope of her authority. See Rogers v. Minoo, No. 24146, memorandum opinion at 14-16 (date?); Tatibouet v. Ellsworth, 99 Hawai'i 226, 54 P.3d 397 (2002). Accordingly, the circuit court did not err in confirming the arbitration award and entering a judgment in favor of Rogers and against Minoo. Therefore,

IT IS HEREBY ORDERED that the circuit court's judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawai'i, May 20, 2003.

On the briefs:

Earle A. Partington  
for defendants-appellants  
Maneck B. Minoo, Gasparian & Minoo,  
Ltd., fka Huffman & Minoo, Ltd.,  
and Palmer Graphics & Printing

Charles H. Hurd  
for plaintiffs-appellees  
Steven M. Rogers, Susii Hearst  
and Retirement Resources, Inc.,  
fka Precision Press, Inc.