

NO. 23441

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

REALTY FINANCE, INC., Plaintiff-Appellee, v.
THOMAS FRANK SCHMIDT; LORINNA JHINCIL SCHMIDT;
and AMERASIAN LAND CO., a Nevada corporation,
Defendants-Appellants, and KALOKO TWO PARTNERSHIP,
a Hawai'i limited partnership; ASSOCIATION OF
APARTMENT OWNERS OF THE MARCO POLO APARTMENTS, an
unincorporated condominium association; LAWHN &
KEEVER, a Law corporation; JOHN RAPP; DOUGLAS J.
IGE; INVESTORS FINANCE, INC., a Hawai'i
corporation; STATE OF HAWAII, by and through the
Chief, Oahu Collections Branch; JOHN DOES 1-50;
JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50;
and DOE GOVERNMENTAL UNITS 1-50, Defendants;
and TURLINGTON CORPORATION, as Successor-in-
Interest to Defendant John Rapp,
Party-In-Interest-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-1235-03)

ORDER GRANTING
PLAINTIFF-APPELLEE'S MOTION FOR RECONSIDERATION AND
VACATING MEMORANDUM OPINION OF THE COURT
(By: Burns, C.J., Watanabe and Lim, JJ.)

Upon consideration of Plaintiff-Appellee's Motion for
Reconsideration, filed on June 17, 2002, the memorandum in
support, and the files and records herein,

IT IS HEREBY ORDERED that the motion is granted, and the Memorandum Opinion of the court entered on June 5, 2002, is vacated. A new opinion shall be entered.

DATED: Honolulu, Hawai'i, June 27, 2002.

Jerry A. Ruthruff for
Party-In-Interest/Appellant.

Chief Judge

Thomas P. Dunn and
for Defendants-Appellants.

Francis P. Hogan
(David C. Farmer, Jody
Kaulukukui-Li, and Keith M.
Yonamine (Ashford & Wriston,
of counsel) on the brief)
for Plaintiff-Appellee.

Associate Judge

Associate Judge