NO. 28115

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

MBNA AMERICA BANK, N.A., Plaintiff-Appellee,

DARREN K. KAMALU, a.k.a. DARREN KAMALU Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CV. NO. 03-1-0454)

ORDER DENYING DEFENDANT/COUNTERCLAIM-PLAINTIFF/APPELLANT DARREN K. KAMALU'S NOVEMBER 28, 2006 MOTION FOR RECONSIDERATION (By: Burns, C.J., Lim and Foley, JJ.)

Upon review of the November 21, 2006 order dismissing the appeal, (2) Defendant/Counterclaim-Plaintiff/Appellant Darren K. Kamalu's (Appellant Kamalu) November 28, 2006 motion to reconsider the November 21, 2006 order dismissing the appeal pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record,

IT IS HEREBY ORDERED that Appellant Kamalu's November 28, 2006 motion to reconsider is denied.

Dated: Honolulu, Hawai'i, December 4, 2006.

Associate Judge

Chief Judge