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NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

BARBARA SUZUKI, Plaintiff-Appellant
vs.
STATE OF HAWAI'I, Defendant-Appellee
and
TED SAKAI, EDWIN SHIMODA,
ROY YAMAMOTO, MAY ANDRADE, JOHN MANUMALEUNA,
FRANCIS SEQUERIA, and DOE ENTITIES 1-10,
Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 02-1-002708)

ORDER OF CORRECTION
(By: Nakamura, J., for the court[1/])

The Opinion of the court, filed on November 7, 2008, is hereby corrected as follows:

1. On page 5, in lines 3, 4 and 5 of the first paragraph under Section II. A., the commas before the parenthetical numbers 4), 5), and 6) should be deleted and replaced with semicolons, so that as corrected, the text reads as follows: "3) disability discrimination; 4) negligent hiring and retention; 5) infliction of emotional distress; and 6) negligence."

2. On page 6, in lines 5 and 6 of the first paragraph under Section II.B., quotation marks should be added before the word "who" in line 5 and between the comma and the footnote 5 designation in line 6, so that as corrected, the text reads as follows: ". . . Cunningham, "who were locked out of OCCC on or about October 4, 2002 [sic],"[5/] when Suzuki was . . . ."

[1/] Nakamura, Presiding Judge, Fujise, and Leonard, JJ.

3. On page 6, in lines 7 and 8 of the first paragraph under Section II.B., quotation marks should be added around the text "on October 4, 2002 [sic]," so that as corrected, the text reads as follows: ". . . other ACOs who were put out of work "on October 4, 2002 [sic]," including Maglinti . . . ."

4. On page 9, in the second line of the heading of subsection 3 at the top of the page, the word "Personal" should be deleted and replaced with the word "Personnel," so that as corrected, the text reads as follows: "3. Declaration of Roy Yamamoto (Yamamoto), the Personnel Officer for the DPS."

5. On page 25, in the eleventh line from the bottom of the page, the word "eighteen" should be deleted and replaced with the numerals "18" so that as corrected, the text reads as follows: "nearly 18-month lapse between protected activity . . . ."

The clerk of the court is directed to incorporate the foregoing changes in the original opinion and take all necessary steps to notify the publishing agencies of these changes.

DATED: Honolulu, Hawaiʻi, December 4, 2008.

FOR THE COURT:

Craig H. Nakamura

Presiding Judge

APPELLATE COURTS SEAL STATE OF HAWAII