

NO. 28359

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

PONO, an unincorporated association; WALTER RITTE, JR.
WAYDE LEE; MATTHEW ADOLPHO; and JOSEPH KALIPI, as
individuals and members of PONO, Plaintiffs/
Counterclaim Defendants-Appellants, and HALONA
KAOPU'IKI, Plaintiff/Counterclaim Defendant-Appellee,

v.

MOLOKAI RANCH, LTD., a Hawai'i corporation, Defendant/
Counterclaimant-Appellee, and JAMES W. MOZLEY, JR.;
CHARLES JENCKS, as an individual and in his capacity as
Director of the County of Maui, Department of Public
Works and Waste Management; LINDA CROCKETT LINGLE, as
an individual and in her capacity as Mayor of the
County of Maui; COUNTY OF MAUI, a governmental entity,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(Civ. No. 97-0383(3))

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Watanabe, Presiding J., Foley, and Fujise, JJ.)

Upon consideration of the Motion for Reconsideration
filed on October 30, 2008 by Plaintiffs/Counterclaim Defendants-
Appellants Pono, an incorporated association; Walter Ritte, Jr.;
Wayde Lee; Matthew Adolpho, and Joseph Kalipi, as individuals and
members of Pono, the attached memorandum in support and
declaration of counsel, and the records and files in this case,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, November 6, 2008.

On the motion:

Alan T. Murakami, David Kimo
Frankel, and Anthony F. Quan,
Jr. (Native Hawaiian Legal
Corporation) for plaintiffs/
counterclaim defendants-
appellants.

Courine K.A. Watanabe
Presiding Judge

Daniel R. Foley
Associate Judge

Akua M. Fujise
Associate Judge

ENTERED
CIRCUIT COURT OF THE SECOND CIRCUIT
STATE OF HAWAII

2008 NOV -6 AM 8:05

FILED