

NO. 29354

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

K. HAMAKAPO
CLERK OF APPELLATE COURTS
STATE OF HAWAII

2008 OCT -2 AM 7:46

FILED

STOP RAIL NOW, a nonprofit organization;
LET HONOLULU VOTE, a nonprofit organization;
LEAGUE OF WOMEN VOTERS OF HONOLULU, a nonprofit organization,
SENSIBLE TRAFFIC ALTERNATIVES & RESOURCES, INC., dba HONOLULU
TRAFFIC.COM, a nonprofit organization; PAUL DE GRACIA;
PAUL E. SMITH, ROBERT KESSLER, WARREN P. BERRY; JEREMY LAM, M.D.,
SCOTT R. WILSON; DENNIS CALLAN; and SAMUEL SLOM,
Petitioners-Plaintiffs-Appellants,

v.

DENISE C. DE COSTA, in her capacity as
CITY CLERK OF THE CITY AND COUNTY OF HONOLULU,
Respondent-Defendant-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-1605)

ORDER OF AMENDMENT FOR PUBLICATION

(By: Recktenwald, C.J., Watanabe and Leonard, JJ.)

IT IS HEREBY ORDERED THAT, pursuant to Rule 35(b) of the Hawai'i Rules of Appellate Procedure, the order of this court in the above-entitled action filed on September 23, 2008 is designated for publication in *West's Hawai'i Reports* and in the *Pacific Reporter*.

Accordingly, the order of the court, filed on September 23, 2008, is hereby amended as to the following:

(1) At the top of each page, add a header "FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER"; and

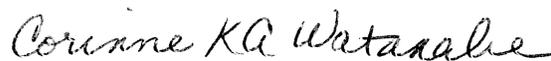
(2) At page 1, the caption is amended as provided in the amended order being concurrently filed herewith.

The Clerk of the Court is directed to provide a copy of this order and a copy of the amended order to the parties and notify the publishing agencies.

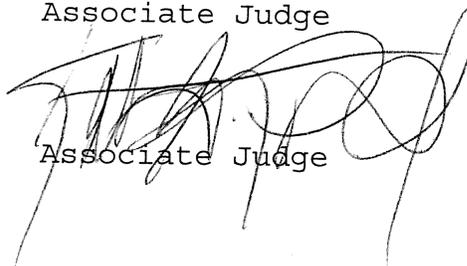
DATED: Honolulu, Hawai'i, October 2, 2008.



Chief Judge



Associate Judge



Associate Judge