

FILED

2009 JUN 16 AM 8:54

DEBRA K. KURA
CLERK, APPELLATE COURTS
STATE OF HAWAII

NO. 27429
IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LIBERTY MUTUAL INSURANCE COMPANY, Plaintiff-Appellant/
Cross-Appellee, v. SENTINEL INSURANCE COMPANY, LTD.
and HARTFORD INSURANCE GROUP, Defendant-Appellee/
Cross-Appellee, ZASHELL LABRADOR and PEMCO MUTUAL
INSURANCE COMPANY, Defendant-Counterclaimant/Appellee/
Cross-Appellant, ELISA TOLFREE, et al., Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(Civ. No. 01-1-508)

ORDER OF CORRECTION

(By: Watanabe, Acting C.J., for the court)¹

IT IS HEREBY ORDERED that the Partial Opinion of the Court by Watanabe, J. (Partial Opinion), and the Dissenting Opinion by Watanabe, J. (Dissenting Opinion), both filed on March 31, 2009, are hereby corrected as follows:

(1) In line 26 on page 11 of the Partial Opinion, which reads as follows:

Mutual; (8) PEMCO'S wrongful or mistaken denial of coverage the possessive "s" in "PEMCO" shall be changed to a lower-case "s" so that the line reads as follows:

Mutual; (8) PEMCO's wrongful or mistaken denial of coverage

(2) In line 1 on page 20 of the Partial Opinion, which reads as follows:

unnecessary to interpret vague and unambiguous terms of an the word "unambiguous" shall be replaced by "ambiguous" so that the line reads as follows:

unnecessary to interpret vague and ambiguous terms of an

¹ Watanabe, Acting C.J., and Foley, J. The third member of the panel on this appeal, then-Chief Judge Mark E. Recktenwald, was sworn in as an Associate Justice of the Hawai'i Supreme Court on May 11, 2009.

(3) In line 16 on page 15 of the Dissenting Opinion,
which reads as follows:

filed on March 17, 2003, which denied [Labrador's] motion
for

the brackets around "Labrador" shall be removed so that the line
reads as follows:

filed on March 17, 2003, which denied Labrador's motion for

The Clerk of the Court is directed to make the
aforementioned corrections to the original Partial Opinion and
Dissenting Opinion and take all necessary steps to notify the
publishing agencies of the correction.

DATED: Honolulu, Hawai'i, June 16, 2009.

FOR THE COURT:

Corinne KA Watanabe

Acting Chief Judge

