

NO. 27707

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

EM RIVANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 MAR 30 AM 11:10

COUNTY OF HAWAI'I, a municipal Corporation of the State of Hawaii, Plaintiff/Counter-Claim Defendant/Appellee/Cross-Appellee v. ALA LOOP HOMEOWNERS, an unincorporated association, Defendant/Counter-Claimant/Cross-Claimant/Appellee/Cross-Appellant, and WAI'OLA WATERS OF LIFE CHARTER SCHOOL, a public school organized under the laws of the State of Hawaii, Defendant/Cross-Claim Defendant/Appellant/Cross-Appellee, and JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10; AND DOE ENTITIES 1-10, Defendants/Appellees/Cross-Appellees

and

ALA LOOP COMMUNITY ASSOCIATION, an unincorporated non-profit association, Third-Party Plaintiff/Defendant/Counter-Claimant/Cross-Claimant/Appellee/Cross-Appellant, v. LAND USE COMMISSION, STATE OF HAWAII, Third-Party Defendant/Appellee/Cross-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 03-1-0308)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

On March 19, 2009, Defendant/Cross-Claimant-Appellee/Cross-Appellant Ala Loop Homeowners (**Association**) timely filed (ex officio) a motion for reconsideration of this court's March 12, 2009 Summary Disposition order herein.

Upon review of the motion for reconsideration,^{1/} the authorities cited therein, and the files and records in the case,

^{1/} Although not all of the issues raised by Association were discussed in this court's Summary Disposition Order, they were considered prior to the court's decision.

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

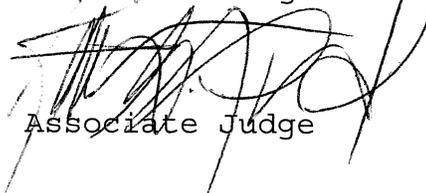
DATED: Honolulu, Hawai'i, March 30, 2009.

On the motion:

Thomas L.H. Yeh
Michael W. Moore
(Tsukazaki Yeh & Moore)
for Defendant/Cross-Claimant-
Appellee/Cross-Appellant


Daniel R. Foley
Presiding Judge


Associate Judge


Associate Judge