

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

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DAVID GARNER; PATRICIA SMITH; ANDREA CHRISTIE;
ALLAN KLITERNICK; KAREN SOUZA; JO JENNIFER GOLDSMITH;
and DAVID HUDSON, on behalf of themselves and all others
similarly situated, Plaintiffs-Appellants/Cross-Appellees, v.
STATE OF HAWAI'I, DEPARTMENT OF EDUCATION,
Defendants-Appellees/Cross-Appellants, and
JOHN DOES 1-5, JOHN DOE CORPORATIONS 1-5, JOHN DOE
PARTNERSHIPS 1-5, ROE NON-PROFIT CORPORATIONS 1-5, and
ROE GOVERNMENTAL AGENCIES 1-5, Defendants,
(CIVIL NO. 03-1-0305)

and

ALLAN KLITERNICK; DAVID GARNER; JO JENNIFER GOLDSMITH;
and DAVID HUDSON, individually and on behalf of all others
similarly situated, Plaintiffs-Appellants/Cross-Appellees, v.
PATRICIA HAMAMOTO, in her official capacity as Superintendent
of Schools; SHANNON AJIFU, MARY COCHRAN, MAGGIE COX, BREENE
HARIMOTO, CEC HEFTEL, LEI AHU ISA, KAREN KNUDSEN, DENISE
MATSUMOTO, SHIRLEY A. ROBINSON, LAURA THIELEN, GARRETT TOGUCHI,
HERBERT WATANABE, AND RANDALL YEE, in their official
capacities as members of the STATE OF HAWAI'I BOARD OF
EDUCATION; DEPARTMENT OF EDUCATION, STATE OF HAWAI'I,
Defendants-Appellees/Cross-Appellants
(CIVIL NO. 05-1-0031)

NO. 27912

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

DECEMBER 16, 2009

WATANABE, PRESIDING JUDGE, FOLEY and LEONARD, JJ.

ORDER OF CORRECTION
(By: Leonard, J., for the court¹)

IT IS HEREBY ORDERED that the Opinion of the court,
filed on October 30, 2009, is hereby corrected at page 39, in the
attorney-credit section and shall read as follows:

Paul Alston
for Plaintiffs-Appellants/
Cross-Appellees (Bruce H.
Wakuzawa, Peter S. Knapman,
and Mei-Fei Kuo of Alston
Hunt Floyd & Ing; and Eric
G. Ferrer; and Murray T.S.
Lewis of Lewis Law Firm,
with him on the briefs).

William J. Wynhoff
Deputy Attorney General
for Defendants-Appellees/
Cross-Appellants (Dorothy
Sellers, Solicitor General,
on the briefs).

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

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

FOR THE COURT:

Associate Judge