

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 28278

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

KOGA ENGINEERING & CONSTRUCTION, INC.,  
Plaintiff-Appellee,  
v.  
STATE OF HAWAII, Defendant-Appellant

K. HAMAKADO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2009 APR -6 AM 11:08

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 01-1-3636)

ORDER DENYING DEFENDANT-APPELLANT STATE OF HAWAII'S  
MOTION FOR RECONSIDERATION OF SUMMARY DISPOSITION ORDER  
By: Foley, Presiding Judge, Fujise, and Leonard, JJ.)

Upon consideration of Defendant-Appellant State of Hawaii's April 2, 2009, Motion for Reconsideration of the Intermediate Court of Appeals' Summary Disposition Order filed on March 13, 2009, the memorandum in support of the motion, and the records and files in this case,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawaii, April 6, 2009.

On the motion:

Dorothy Sellers,  
Solicitor General,  
Rebecca A. Copeland,  
Deputy Solicitor General,  
for Defendant-Appellant.

  
Presiding Judge

  
Associate Judge

  
Associate Judge