

NO. 27631

IN THE SUPREME COURT OF THE STATE OF HAWAII

SUPRO CORPORATION, Petitioner

vs.

THE HONORABLE EDEN ELIZABETH HIFO, Respondent

FILED
2005 DEC 23 AM 11:56
CLERK OF THE SUPREME COURT
STATE OF HAWAII

FILED

ORIGINAL PROCEEDING

ORDER DENYING PETITIONER SUPRO CORPORATION'S
PETITION FOR WRIT OF MANDAMUS RE: PREMATURE
DEPOSITIONS OF SUPRO CORPORATION EXPERT WITNESSES



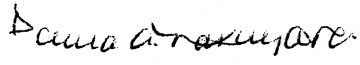
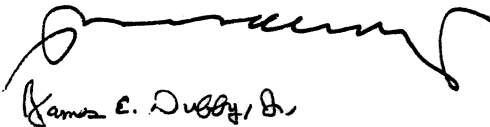
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the petition for a writ of mandamus filed by Petitioner Supro Corporation, the papers in support, and the records and files herein, it appears that: (1) Petitioner is petitioning this court to review rulings and orders issued by the respondent judge in In re: Haswahi Abestos Cases Underwood v. Kaiser Gypsum Co., Inc., Civil No. 04-1-0492; (2) Petitioners will have a remedy by way of appeal from any adverse judgment, and a writ of mandamus is not intended to take the place of an appeal. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to any remedy Petitioner may have in the pending circuit court proceeding and without prejudice Petitioner may have by way of appeal.

DATED: Honolulu, Hawai'i, December 23, 2005.

Edward R. Hugo and
Wayne S. Sakamoto
for petitioner on
the writ





James E. Duffy, Jr.