

IN THE SUPREME COURT OF THE STATE OF HAWAII

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LETIZIA THOMPSON, Plaintiff-Appellant

vs.

KYO-YA COMPANY, LTD., dba SHERATON-MAUI HOTEL,
Defendant-Appellee

and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE NON-PROFIT ENTITIES 1-10; and DOE GOVERNMENTAL
ENTITIES 1-10, Defendants

NO. 26040

ORDER OF AMENDMENT
(CIV. NO. 02-1-0209)

NOVEMBER 20, 2006

ACOPA AND DUFFY, JJ.

The concurring opinion of Acoba, J., with whom Duffy, J., joined, appended to the majority opinion of the court filed on November 9, 2006, is amended as follows (addition is double underscored):

The last sentence of the first paragraph on page 4:
the word "not" is added between the words "would" and "be" so that the sentence reads: "Thus, under the Crichfield test her subjective intent was not to engage in an 'exclusively recreational purpose' and her claim would not be precluded under the HRUS."

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

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FILED

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.



James E. Duggan, Jr.