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2006 DEC 11 AM 9:10

EM RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

NO. 26160

IN THE SUPREME COURT OF THE STATE OF HAWAII

CLARENCE T. IZUO, CECELIA M. IZUO, GARY Y. NISHIOKU,
and RENEE NISHIOKU, Plaintiffs-Appellees-Respondents,

vs.

JOSEPH DIAS, JR., Defendant-Appellant-Petitioner,

and

FIRST MAGNUS FINANCIAL CORPORATION dba CHARTER FUNDING,
an Arizona Corporation, JOHN DOES 1-10; JANE DOES 1-10; DOE
CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10; DOE ENTITIES 1-10; AND
DOE GOVERNMENTAL ENTITIES 1-10, Defendants.

JOSEPH DIAS, JR., Counterclaimant,

vs.

CLARENCE T. IZUO, CECELIA M. IZUO, GARY Y. NISHIOKU,
RENEE NISHIOKU, and LEROY BRILHANTE, Counterclaim Defendants.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(Civ. No. 02-1-0556)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: Levinson, J., for the court¹)

This court having considered the defendant-appellant-
petitioner/counterclaimant Joseph Dias, Jr.'s November 13, 2006
application for a writ of certiorari and the response filed on
November 20, 2006 by the plaintiffs-appellees-respondents/
counterclaim defendants Clarence T. Izuo, Cecelia M. Izuo,

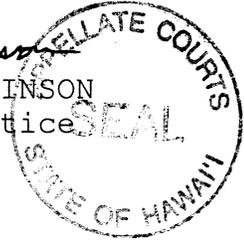
¹ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.

Gary Y. Nishioku, and Renee Nishioku, the application is hereby rejected.

DATED: Honolulu, Hawai'i, December 11, 2006.

FOR THE COURT:


STEVEN H. LEVINSON
Associate Justice



On the application:

Gary Victor Dubin, for the defendant-
appellant-petitioner/counterclaimant
Joseph Dias, Jr.

Jay T. Suemori and James P.
Dandar, for plaintiffs-appellees-
respondents/counterclaim defendants
Clarence T. Izuo, Cecelia M.
Izuo, and Gary Y. Nishioku