

NO. 27211

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JOSEPH A. BRESCIA, Plaintiff/Appellant-Appellee

vs.

NORTH SHORE OHANA, HAROLD BRONSTEIN and CAREN DIAMOND.
Defendants/Appellees-Appellants

and

PLANNING COMMISSION OF THE COUNTY OF KAUAI
Defendant/Appellee

APPEAL FROM THE FIFTH CIRCUIT COURT
(CIV. NO. 03-1-0177)

K. HAMAKAHI
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 AUG 31 AM 11:54

FILED

ORDER DENYING MOTION FOR RECONSIDERATION AND/OR CLARIFICATION
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the motion for reconsideration and/or clarification filed on August 1, 2007 by Plaintiff/Appellant-Appellee Joseph A. Brescia, seeking "reconsideration and/or clarification of the decision [filed herein on July 12, 2007,] on the limited issue of which map would be applicable for the determination of the so-called "Zoning District Boundary Setback Line," the attachments thereto, and the record herein,

IT IS HEREBY ORDERED that the motion is denied, without prejudice to any other remedy regarding the aforesaid issue raised in the motion.

DATED: Honolulu, Hawai'i, August 31, 2007.

Walton D.Y. Hong, on the motion for Plaintiff/Appellant-Appellee.

[Handwritten signatures]
Steven H. Levinson
Funia C. Nakayama, etc
Kanao E. Duffy, Jr.