

IN THE SUPREME COURT OF THE STATE OF HAWAII

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DAWNA C. ZANE, Plaintiff-Appellee-Respondent,

vs.

LIBERTY MUTUAL FIRE INSURANCE COMPANY,
Defendant-Appellant-Petitioner.

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

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FILED

NO. 27317

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 02-1-1140-05)

AUGUST 14, 2007

MOTION FOR RECONSIDERATION

MOON, C.J., LEVINSON, NAKAYAMA, AND DUFFY, JJ., AND
CIRCUIT JUDGE STRANCE, IN PLACE OF ACOBA, J., RECUSED

This court having considered the plaintiff-appellee-respondent Dawna C. Zane's April 25, 2007 motion for reconsideration of our April 16, 2007 opinion, the defendant-appellant-petitioner Liberty Mutual Fire Insurance Company's May 29, 2007 response, and Zane's June 4, 2007 reply,

IT IS HEREBY ORDERED that the motion for reconsideration is granted in part as follows:

(1) Our April 16, 2007 opinion in Zane v. Liberty Mutual Fire Ins. Co., No. 27317 (Haw. Apr. 16, 2007), is vacated and shall not be published.

(2) This order shall not be construed as a disposition on the merits. We will file a new opinion shortly.

DATED: Honolulu, Hawai'i, August 14, 2007.

Ward F.N. Fujimoto,
of Matsui Chung, for the
defendant-appellant-petitioner
Liberty Mutual Fire Insurance
Company

Bert S. Sakuda, of Cronin,
Fried, Sekiya, Kekina &
Fairbanks, for the plaintiff-
appellee-respondent Dawna C. Zane