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

NO. 29274

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GLENN NOBUKI MURAKAMI and ANN SUE ISOBE, Petitioners,

vs.

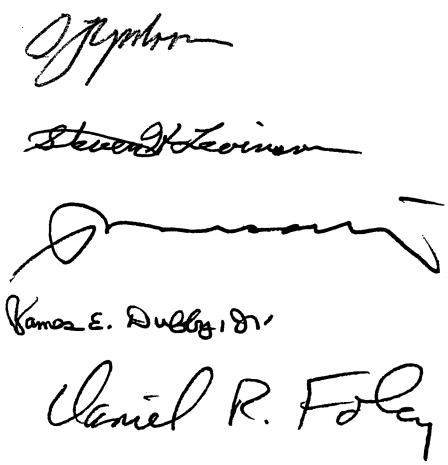
THE HONORABLE EDEN ELIZABETH HIFO, JUDGE OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I; MICHAEL DAVID SAKATANI; CHRISTINE MARIE SAKATANI; and 808 DEVELOPMENT LLC, Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 03-1-1712)

ORDER
(By: Moon, C.J., Levinson, Acoba, and Duffy, JJ., and Intermediate Court of Appeals Judge Foley, in place of Nakayama, J., recused)

Upon consideration of the petition for a writ of mandamus filed by petitioners Glenn Nobuki Murakami and Ann Sue Isobe and the papers in support, it appears that the confirmation of the October 22, 2007 and June 5, 2008 arbitration awards will be appealable upon entry of a judgment confirming the awards and the denial of the motion to vacate the awards will be reviewable on appeal from a judgment confirming the awards. See HRS §§ 658A-28(a)(6) and 658A-23(d) (Supp. 2007). Petitioners have a remedy by way of appeal and petitioners can seek a stay of the judgment pending appeal pursuant to HRAP 8. Therefore, petitioners are not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999) (A writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. Such writs are

not intended to supersede the legal discretionary authority of the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, August 7, 2008.