

NO. 25570

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

EMERSON
COURT, APPELLATE COURTS
STATE OF HAWAII

2009 MAY 15 AM 8:40

FILED

OFFICE OF HAWAIIAN AFFAIRS, ROWENA AKANA, HAUNANI APOLIONA, DANTE CARPENTER, DONALD CATALUNA, LINDA DELA CRUZ, COLETTE MACHADO, BOYD P. MOSSMAN, OSWALD STENDER, and JOHN WAIHE'E, IV, in their official capacities as members of the Board of Trustees of the Office of Hawaiian Affairs, PIA THOMAS ALULI, JONATHAN KAMAKAWIWO'OLE OSORIO, CHARLES KA'AI'AI, and KEOKI MAKAKAMA KI'ILI, Plaintiffs-Appellants,

vs.

HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAI'I (HCDCH), ROBERT J. HALL, in his capacity as Acting Executive Director of HCDCH, CHARLES STED, Chair, STEPHANIE AVEIRO, FRANCIS L. JUNG, CHARLES KING, LILLIAN B. KOLLER, BETTY LOU LARSON, THEODORE E. LIU, TRAVIS THOMPSON, TAI'APOPO, TUIMALEIALIIFANO, Members of the Board of Directors of HCDCH, State of Hawai'i, and LINDA LINGLE, in her capacity as Governor, State of Hawai'i, Defendants-Appellees.

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 94-4207)

ORDER REGARDING NOTIFICATION OF SETTLEMENT

(By: Moon, C.J., for the court¹)

It appearing from the joint letter from the parties in the above-captioned matter, filed with this court on May 4, 2009, which we accept as a motion, that (1) all but one of the parties have reached a tentative settlement contingent upon S.B. 1677, C.D.1, becoming law and (2) request that, in the event S.B. 1677, C.D.1, does not become law and/or the remaining party does not

¹ Considered by: Moon, C.J., Nakayama, Acoba, and Recktenwald, JJ., and Circuit Judge Chan, in place of Duffy, J., recused.

settle or dismiss his claims, this court "set an appropriate briefing schedule" via a scheduling order,

IT IS HEREBY ORDERED that the parties shall inform this court as soon as possible, but no later than July 17, 2009, whether there is any effective settlement in this matter, and, if so, whether any claims remain in this case.

IT IS FURTHER ORDERED that the remainder of the parties' requests are held in abeyance until a definitive determination is made with respect to the tentative partial settlement described in the joint letter.

DATED: Honolulu, Hawai'i, May 15, 2009.

FOR THE COURT:


Chief Justice

