

NO. 27707

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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COUNTY OF HAWAI'I, a municipal corporation of the State of  
Hawai'i, Respondent-/Plaintiff-/Counterclaim  
Defendant-Appellee/Cross-Appellee,

vs.

ALA LOOP HOMEOWNERS, an unincorporated association,  
Respondent-/Defendant-/Counterclaimant-/Cross-Claimant  
Appellee/Cross-Appellant,

and

WAI'OLA WATERS OF LIFE CHARTER SCHOOL, a public school  
organized under the law of the State of Hawai'i,  
Respondent-/Defendant-/Cross-Claim Defendant-  
Appellant/Cross-Appellee;

and

ALA LOOP COMMUNITY ASSOCIATION, an unincorporated non-profit  
association, Petitioner-/Defendant-/Counterclaimant-/  
Cross-Claimant-/Third-Party Plaintiff-Appellee/Cross-Appellant;

vs.

LAND USE COMMISSION, STATE OF HAWAI'I, Respondent-/  
Third-Party Defendant-Appellee/Cross-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIV. NO. 03-1-0308)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, J. for the court<sup>1</sup>)

Petitioner/Plaintiff-Appellee State of Hawaii's  
application for writ of certiorari filed on July 21, 2009, is  
hereby accepted and will be scheduled for oral argument. The

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<sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and  
Recktenwald, JJ.

2009 SEP -2 AM 8:21  
KIMMANN  
STATE COURTS

FILED

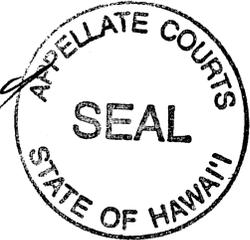
parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawai'i, September 2, 2009.

FOR THE COURT:

*M. E. Redfern*

Associate Justice



Thomas Yeh and Michael Moore (Tsukazaki Yeh & Moore) on the application for petitioner Ala Loop Community Association

Deborah Day Emerson and James C. Paige, Deputy Attorneys General, on the response for respondent Wai'ola Life of Waters Charter School

David Kimo Frankel, on the brief for amicus curiae Native Hawaiian Legal Corporation

Carl C. Christensen, on the brief for amicus curiae Hawaii's Thousand Friends