

NO. 27840

IN THE SUPREME COURT OF THE STATE OF HAWAII

HAWAII INSURERS COUNCIL, Plaintiff-Appellee

vs.

LINDA LINGLE, GOVERNOR, STATE OF HAWAII; GEORGE A. KAWAMURA, DIRECTOR OF FINANCE, DEPARTMENT OF BUDGET AND FINANCE; LAWRENCE M. REIFURTH, DIRECTOR, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS; J.P. SCHMIDT, INSURANCE COMMISSIONER, INSURANCE DIVISION, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, Defendants-Appellants.

CLERK, APPELLATE COURTS
STATE OF HAWAII
NORMA T. YARA

2009 FEB -6 AM 11:24

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 02-1-2295)

ORDER DENYING MOTION FOR PARTIAL RECONSIDERATION OR,
IN THE ALTERNATIVE, FOR CLARIFICATION
(By: Moon, C.J., for the court¹)

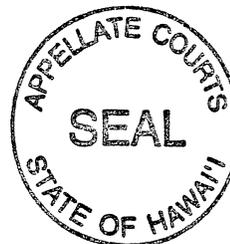
Upon consideration of defendants-appellants' motion for partial reconsideration or, in the alternative, for clarification of this court's December 18, 2008 opinion, filed January 6, 2009, the papers in support thereof, the plaintiff-appellee's memorandum in response thereto, filed on January 20, 2009, and the record herein,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawaii, February 6, 2009.

FOR THE COURT:

J. Moon
Chief Justice



¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Retired Justice Levinson, appointed by reason of vacancy.