

NO. 29317

IN THE SUPREME COURT OF THE STATE OF HAWAII

PACIFIC MORTGAGE INVESTORS LLC,
Respondent/Plaintiff-Appellee,

vs.

THOMAS MOSES JOHNSON, III, also known as Thomas M. Johnson, III,
Petitioner/Defendant-Appellant,

and

FIRST HAWAIIAN BANK and BANK OF HAWAII,
Respondents/Defendants-Appellees,

and

JOHN DOES 1-5; JANE DOES 1-5; DOE PARTNERSHIPS 1-5;
DOE CORPORATIONS 1-5; DOE ENTITIES 1-5; and
DOE GOVERNMENTAL UNITS 1-5, Defendants.

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 MAR -5 AM 9:11

FILED

FIRST HAWAIIAN BANK,
Respondent/Counterclaim Plaintiff-Appellee,

vs.

PACIFIC MORTGAGE INVESTORS, LLC,
Respondent/Counterclaim Defendant-Appellee,

and

THOMAS MOSES JOHNSON, III, also known as Thomas M. Johnson, III,
Petitioner/Cross-Claim Defendant-Appellant,

and

COLONY SURF, LTD. and COLONY SURF ASSOCIATION OF
APARTMENT OWNERS, Respondents/Identified Defendant
Doe Corporation 1 and Doe Entity 1/Appellees,

and

JOHN DOES 1-5; JANE DOES 1-5; DOE CORPORATIONS 2-5; DOE
GOVERNMENTAL AGENCIES 1-5; DOE PARTNERSHIPS 1-5; and
DOE ENTITIES 2-5, Defendants,

and

JOHN DOES 6-20; JANE DOES 6-20; DOE PARTNERSHIPS 6-20;
DOE CORPORATIONS 6-20; DOE "NON-PROFIT" CORPORATIONS 6-20;
and DOE GOVERNMENTAL UNITS 6-20, Defendants.

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 07-1-1893)

ORDER

(By: Moon, C.J., for the court¹)

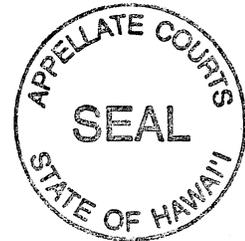
Upon consideration of the "motion for stay pending review by the United States Supreme Court," filed on February 13, 2009 by petitioner/defendant/cross-claim defendant/appellant Thomas Johnson, III, the papers in support and in opposition, and the record,

IT IS HEREBY ORDERED that the motion for stay is denied.

DATED: Honolulu, Hawai'i, March 5, 2009.

FOR THE COURT:


Chief Justice



¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ. and Circuit Judge Town, assigned by reason of vacancy.