

NO. 29494

IN THE SUPREME COURT OF THE STATE OF HAWAII

K. HANAKAEDU
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 SEP -3 AM 10:20

FILED

DAVID KERSH,
Petitioner/Plaintiff-Appellant,

vs.

FRANCIS T. O'BRIEN and RANDALL CHAR, Jointly and Severally,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 06-1-2208)

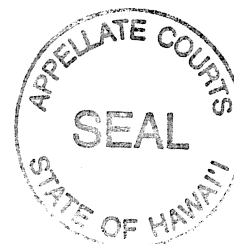
ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
AND DENYING MOTION TO CONSOLIDATE
(By: Moon, C.J., for the court¹)

Petitioner/plaintiff-appellant David Kersh's
application for writ of certiorari, filed on August 5, 2009, is
hereby rejected. Petitioner's motion to consolidate No. 29494
with No. 24392, filed on August 5, 2009, is denied.

DATED: Honolulu, Hawai'i, September 3, 2009.

FOR THE COURT:


Chief Justice



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