

NO. 29494

IN THE SUPREME COURT OF THE STATE OF HAWAII

K. HANAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 SEP -3 AM 10:21

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 DENYING MOTION TO STRIKE APPLICATION FOR WRIT OF
CERTIORARI AND DENYING MOTION TO DISMISS MOTION TO JOIN APPEALS
(By: Moon, C.J.)

Upon consideration of respondents/defendants-appellees Francis T. O'Brien and Randall Char's motion to strike application for writ of certiorari, filed on August 12, 2009, and motion to dismiss motion to join appeals, filed on August 12, 2009,

IT IS HEREBY ORDERED that the motions are denied.

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


Chief Justice

