

NO. 29896

IN THE SUPREME COURT OF THE STATE OF HAWAII

FILED
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STATE OF HAWAII

2009 JUL -9 PM 2:07

FILED

JAMES H. PFLUEGER, Individually and as Trustee of the
Mary N. Lucas Trust; PFLUEGER PROPERTIES; and
PFLUEGER PARTNERS, Petitioners,

vs.

THE HONORABLE KATHLEEN N.A. WATANABE, JUDGE OF THE CIRCUIT
COURT OF THE FIFTH CIRCUIT, STATE OF HAWAII; BRUCE FEHRING,
Individually and as Special Administrator of the Estates of
AUROA FEHRING and ALAN DINGWALL FEHRING; CYNTHIA FEHRING;
INGRID DINGWALL; PAUL ROTSTEIN; MARGUERITE ROTSTEIN;
JULIO ARROYO; VIVIAN ARROYO; ROGER McNEES; MARYANN McNEES;
BRUCE FEHRING, as Personal Representative of the Estate of
ROWAN GREY MAKANA FEHRING-DINGWALL; GARY ROTSTEIN, as
Personal Representative of the Estate of WAYNE CARL ROTSTEIN;
JULIO A. ARROYO, as Personal Representative of the Estate of
DANIEL JAY ARROYO; ROGER McNEES and MARYANN McNEES, as
Co-Personal Representatives of the Estates of CHRISTINA McNEES
and BABY DOE McNEES; TIMOTHY W. NOONAN, SR., Individually and as
Personal Representative of the Estate of TIMOTHY W. NOONAN, JR.;
MARJORIE NOONAN; and NATALIE STARR MUDD, Individually and as
Next Friend of RHEA STARR NOONAN MUDD, Respondents.

ORIGINAL PROCEEDING
(CIVIL NOS. 06-1-0082, 08-1-0050, 08-1-0051)

ORDER

(By: Duffy, J. for the court¹)

Upon consideration of the petition for a writ of
mandamus filed by petitioners James H. Pflueger, individually and
as Trustee of the Mary N. Lucas Trust, Pflueger Properties, and
Pflueger Partners, and the papers in support, and having been

¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ. and
Intermediate Court of Appeals Judge Fujise, in place of Recktenwald, J.,
recused.

informed that the civil trial date has been continued to the week of May 3, 2010. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is dismissed as moot.

DATED: Honolulu, Hawai'i, July 9, 2009.

FOR THE COURT:

James E. Dubby, Jr.
Associate Justice

