

NO. 29578

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---

COUNTY OF MAUI, Petitioner/Plaintiff-Appellee,

vs.

STEVE LUNDBORG, Respondent/Defendant-Appellant.

---

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIVIL NO. 05-1-0402(3))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, J. for the court,<sup>1</sup>  
and Nakayama, J., dissenting)

Petitioner/Plaintiff-Appellee County of Maui's  
application for writ of certiorari filed on February 1, 2010, is  
hereby rejected.

DATED: Honolulu, Hawai'i, March 11, 2010.

FOR THE COURT:

Associate Justice

Brian T. Moto,  
Corporation Counsel,  
and Moana M. Lutey,  
Deputy Corporation  
Counsel, on the  
application for  
petitioner/plaintiff-  
appellee.

Michael G.M. Ostendorp  
and John F. Parker on  
the response for  
respondent/defendant-  
appellant.

---

<sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald,  
JJ.