

NO. 28602

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

Civil No. 06-1-0265

UNITE HERE! LOCAL 5; ERIC W. GILL;
TODD A.K. MARTIN, Plaintiffs,

vs.

CITY AND COUNTY OF HONOLULU, a municipal corporation;
KUILIMA RESORT COMPANY, a Hawai'i corporation, Defendant

and

KUILIMA RESORT COMPANY, a Hawai'i general
partnership, Counterclaim Plaintiff,

vs.

UNITE HERE! LOCAL 5 HAWAI'I, a Hawai'i labor organization;
ERIC W. GILL, an individual, Counterclaim Defendants.

KHAMAKAUA
CLERK OF THE COURT

2010 APR 21 PM 2:33

FILED

Civil No. 06-1-0867

KEEP THE NORTH SHORE COUNTRY, a Hawai'i non-profit corporation;
and SIERRA CLUB, HAWAI'I CHAPTER, a foreign non-profit
corporation, Petitioners/Plaintiffs-Appellants,

vs.

CITY AND COUNTY OF HONOLULU; HENRY ENG, Director of Department
of Planning and Permitting, in his official capacity;
KUILIMA RESORT COMPANY, a Hawai'i general partnership,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NOS. 06-1-0265 & 06-1-0867)

ORDER SUSPENDING HRAP RULE 40(d) AND REQUIRING
PETITIONERS/PLAINTIFFS-APPELLANTS TO FILE ANSWER TO
RESPONDENT/DEFENDANT-APPELLEE KUILIMA RESORT COMPANY'S
MOTION FOR RECONSIDERATION

(By Moon, C.J., for the court¹)

Upon consideration of respondent/defendant-appellee Kuilima Resort Company's (Kuilima) Motion for Reconsideration, filed April 19, 2010,

IT IS HEREBY ORDERED that pursuant to HRAP 2, the time requirement of HRAP 40(d) is hereby suspended, and the time in which this court shall dispose of the aforementioned motion is hereby extended through June 30, 2010; and

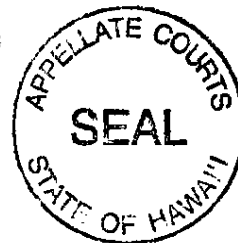
IT IS FURTHER ORDERED that pursuant to HRAP 40(c), petitioners/plaintiffs-appellants Keep the North Shore Country and Sierra Club, Hawai'i Chapter, shall file an answer to the aforementioned motion no later than Monday, May 10, 2010.

IT IS FINALLY ORDERED that pursuant to HRAP 40(c), Kuilima may, but need not, file a reply to the answer(s) of petitioners/plaintiffs-appellants no later than Monday, May 17, 2010.

DATED: Honolulu, Hawai'i, April 21, 2010.

FOR THE COURT:


Chief Justice



No. 28602 Unite Here! v. City & County of Honolulu -- Order Suspending HRAP 40(d) and Requiring Petitioners/Plaintiffs-Appellants to File Answer to Respondent/Defendant-Appellee Kuilima Resort Company's Motion for Reconsideration

¹ Court: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Chan, in place of Recktenwald, J., recused