

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 30357

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BRIAN L. SAKAMAKI and DONNA J. WALDEN,
Trustee of the Donna J. Walden Revocable Living Trust
dated September 14, 1988, Plaintiffs-Appellees,

v.

GLACS LLC, a Hawaii Limited Liability Company, et al.,
Defendants-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-1601)

ORDER DENYING JUNE 7, 2010 HRAP RULE 40 MOTION FOR
RECONSIDERATION OF MAY 28, 2010 ORDER GRANTING MARCH 23, 2010
MOTION TO DISMISS APPEAL FOR LACK OF JURISDICTION AND DENYING
MARCH 23, 2010 MOTION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS
(By: Nakamura, C.J., Leonard and Reifurth, JJ.)

Upon review of (1) the May 28, 2010 order granting Plaintiffs/Counterclaim-Defendants/Appellees Brian L. Sakamaki (Appellee Sakamaki) and Donna J. Walden's (Appellee Walden) March 23, 2010 motion to dismiss this appeal for lack of appellate jurisdiction and denying Appellee Sakamaki and Appellee Walden's motion for an award of attorney's fees and costs (the May 28, 2010 dismissal order), (2) Defendants/Counterclaim-Plaintiffs/Appellants GLACS, LLC (Appellant GLACS), and Kokua Home Care, LLC's (Appellant Kokua Home Care), June 7, 2010 motion for reconsideration of the May 28, 2010 dismissal order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record, it appears that the intermediate court of appeals did not overlook or misapprehend any points of law or fact when the intermediate court of appeals entered the May 28, 2010 dismissal order. Therefore, Appellant GLACS and Appellant

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2010 JUN 15 AM 10:10

FILED

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

Kokua Home Care's June 7, 2010 HRAP Rule 40 motion for reconsideration of the May 28, 2010 dismissal order lacks merit. Accordingly,

IT IS HEREBY ORDERED that Appellant GLACS and Appellant Kokua Home Care's June 7, 2010 HRAP Rule 40 motion for reconsideration of the May 28, 2010 dismissal order is denied.

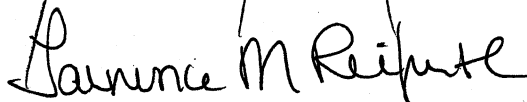
DATED: Honolulu, Hawai'i, June 15, 2010.



Chief Judge



Associate Judge



Associate Judge