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Intermediate Court of Appeals
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NO. CAAP-12-000025

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

GORAN PLEHO, LLC, a Hawaii Limited Liability Company
(dba Resorts Limousine Services), GORAN PLEHO,
and ANA MARIA PLEHO, Plaintiffs-Appellants/Cross-Appellees, v.
DAVID W. LACY, LACY AND JACKSON, LLLC, a Hawaii Limited
Liability Law Company, Defendants-Appellees/Cross-Appellants,
and DRAGAN RNIC, JOHN DOES I-X, JANE DOES I-X, and
DOE ENTITIES I-X, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 06-1-101K)

ORDER DENYING MOTION FOR PARTIAL RECONSIDERATION
AND CLARIFYING AND AMENDING
THE MEMORANDUM OPINION

(By: Nakamura, Chief Judge, Leonard and Ginoza, JJ.)

On August 8, 2016, Defendants-Appellees/Cross-Appellants DAVID W. LACY and LACY AND JACKSON, LLLC (the Lacy Parties) filed a Motion for Partial Reconsideration of Memorandum Opinion, Filed July 29, 2016 (JEFS DOC 342), along with a memorandum in support and a declaration of counsel (Motion for Partial Reconsideration).¹

In the Motion for Partial Reconsideration, the Lacy Parties request reconsideration of this court's July 29, 2016 Memorandum Opinion to the extent that it vacated and remanded the award of attorneys' fees and costs in favor of the Lacy Parties and against Plaintiff-Appellant/Cross-Appellee GORAN PLEHO, LLC, a Hawaii Limited Liability Company (GPLLC).

¹ On August 10, 2016, this court suspended the time requirement of Hawai'i Rules of Appellate Procedure Rule 40(d) and extended the time for disposition of the Motion for Partial Reconsideration to September 6, 2016.

IT IS HEREBY ORDERED that the Motion for Partial Reconsideration is denied as unnecessary, as it was not this court's intent to disturb the award of attorneys' fees and costs in favor of the Lacy Parties and against GPLLC.

Nevertheless, IT IS HEREBY FURTHER ORDERED that this court's July 29, 2016 Memorandum Opinion shall be clarified and amended, as follows: (1) on page 62 of the Memorandum Opinion, in the sentence immediately preceding Section G., after "attorneys' fees and costs award," to add "to the extent that it held Goran and Maria jointly and severally liable," and to thereafter add another sentence stating "The January 9, 2012 order awarding attorneys' fees and costs is otherwise affirmed."; and (2) on page 65 of the Memorandum Opinion, in the sixth line, after "Parties," to add "to the extent that it held Goran and Maria jointly and severally liable to the Lacy Parties,".

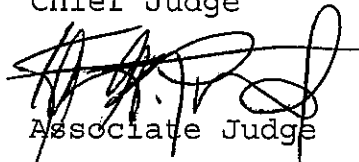
DATED: Honolulu, Hawai'i, August 26, 2016.

On the motion:

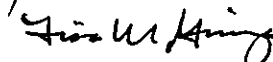
Keith K. Hiraoka,
Norman K. Odani,
Jodie D. Roeca,
(Roeca Luria Hiraoka, LLP)
for Defendants-Appellees/
Cross-Appellants.



Chief Judge



Associate Judge



Associate Judge