

NO. 27173

IN THE SUPREME COURT OF THE STATE OF HAWAII

~~NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII~~

2005 JUN 27 PM 2:35

FILED

HICKAM FEDERAL CREDIT UNION, Petitioner

vs.

THE HONORABLE EDEN E. HIFO, Judge of the Circuit Court of the First Circuit of the State of Hawai'i; DANIEL T. KEOMALU; GERARD AUYONG; STEPHEN KWOCK; CUTTER PONTIAC, BUICK, GMC OF WAIPAHU, INC.; and CJW MOTORS, INC., Respondents

ORIGINAL PROCEEDING
(CIV. NO. 04-1-0732)

ORDER DENYING PETITIONER HICKAM FEDERAL CREDIT UNION'S PETITION FOR WRIT OF MANDAMUS DIRECTED TO THE HONORABLE JUDGE EDEN E. HIFO
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Petitioner Hickam Federal Credit Union's petition for a writ of mandamus directed to the Honorable Judge Eden E. Hifo, the papers in support and opposition, and the records and files herein, it appears that: (1) Petitioner is seeking a writ of mandamus reversing or vacating the order granting Cutter Pontiac, Buick, GMC of Waipahu, Inc. and CJW Motors, Inc.'s motion to disqualify Carlsmith Ball, LLP as counsel for Hickam Federal Credit Union's Third Party Complaint against Cutter Pontiac, Buick, GMC of Waipahu, Inc., CJW Motors, Inc. filed in Keomalu v. Hickam Federal Credit Union, Civil No. 04-1-0732, presently pending in the Circuit Court of the Third Circuit; and (2) Petitioner fails to demonstrate that it is entitled to a writ of mandamus. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus directed to the Honorable Judge Eden E. Hifo is denied.

DATED: Honolulu, Hawai'i, June 27, 2005.

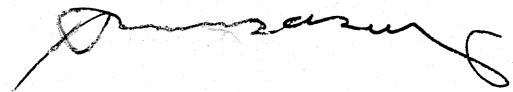
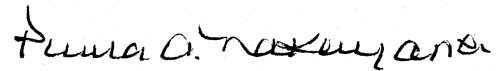
Duane R. Miyashiro and
Elyze J. McDonald for
petitioner on the writ

R. Steven Geshell
and William Fenton
Sink for respondent
Daniel T. Keomalu
in answer

Lisa Woods Munger,
Joachim P. Cox,
and Robert K. Fricke
for respondents Cutter
Pontiac, Buick, GMC
of Waipahu, Inc., and
CJW Motors, Inc.
in answer



Steven Geshell



Lisa Woods Munger