

NO. 29035

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

THE SIERRA CLUB, a California non-profit corporation registered to do business in the State of Hawaii; MAUI TOMORROW, INC., a Hawaii non-profit corporation; and the KAHULUI HARBOR COALITION, an unincorporated association
Plaintiffs-Appellants/Cross-Appellees/Appellees/Cross-Appellants,

vs.

THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF HAWAII; BRENNON MORIOKA, in his capacity as Director of the DEPARTMENT OF TRANSPORTATION OF THE STATE OF HAWAII; MICHAEL FORMBY, in his capacity as Director of Harbors of the DEPARTMENT OF TRANSPORTATION OF THE STATE OF HAWAII; HAWAII SUPERFERRY, INC.,
Defendants-Appellees/Cross-Appellants/Appellants/Cross-Appellees.

FILED
2009 MAR 20 PM 1:37
K. HAMAKADO
CLERK
APPELLATE COURTS
STATE OF HAWAII

APPEAL AND CROSS-APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 05-1-0114)

ORDER

(By: Duffy, J. for the court¹)

Upon consideration of the "Motion of State of Hawaii for Special Leave for Fourteen Day Extension of Time to File Motion for Reconsideration," the papers in support, and the record,

IT IS HEREBY ORDERED that the motion for leave is granted and the State shall file its motion for reconsideration by April 13, 2009.

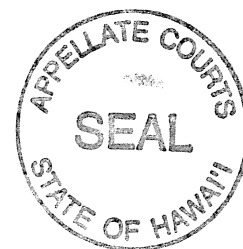
DATED: Honolulu, Hawai'i, March 20, 2009.

Mark J. Bennett
and Dorothy Sellers
for defendants-appellees/
cross-appellants/appellants/
cross-appellees State of
Hawaii, Department of
Transportation

FOR THE COURT:

James E. Duffy, Jr.

Associate Justice



¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Town, in place of Levinson, J., recused.