

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                           |   |                           |
|---------------------------|---|---------------------------|
| DARYL DEAN DAVIS, MARK    | ) | CIVIL NO. 08-00525 HG-LEK |
| APANA, ELIZABETH VALDEZ   | ) |                           |
| KYNE, and EARL TANAKA, on | ) |                           |
| behalf of themselves and  | ) | ORDER ADOPTING FINDINGS   |
| all others similarly      | ) | AND RECOMMENDATION TO     |
| situated,                 | ) | DENY ALTERNATIVE REQUESTS |
|                           | ) | FOR ASSIGNMENT PURSUANT   |
| Plaintiffs,               | ) | TO L.R. 40.2              |
|                           | ) |                           |
| vs.                       | ) |                           |
|                           | ) |                           |
| FOUR SEASONS HOTEL        | ) |                           |
| LIMITED, DBA FOUR SEASONS | ) |                           |
| RESORT, MAUI,             | ) |                           |
|                           | ) |                           |
| Defendant,                | ) |                           |
|                           | ) |                           |

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**ORDER ADOPTING FINDINGS AND RECOMMENDATION  
TO DENY ALTERNATIVE REQUESTS FOR ASSIGNMENT  
PURSUANT TO L.R. 40.2 (Doc. No. 26)**

Findings and Recommendation having been filed and served on all parties on March 19, 2009, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the Findings and Recommendation,

(Doc. No. 51) are adopted as the opinion and order of this Court.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, April 14, 2009.



/S/ Helen Gillmor

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Helen Gillmor  
Chief United States District Judge