

MINUTE ORDER

CASE NUMBER: CIVIL NO. 16-00023 LEK-RT

CASE NAME: Rudy Akoni Galima vs. Association of Apartment Owners of Palm Court

JUDGE: Leslie E. Kobayashi

DATE: 08/26/2020

COURT ACTION: EO: COURT ORDER RULING ON PLAINTIFFS' MOTION FOR RECONSIDERATION OF THE ORDER GRANTING SUMMARY JUDGMENT OF THEIR HAWAII UNFAIR DECEPTIVE PRACTICES ACT CLAIM

On December 31, 2018 this Court issued its Order Granting in Part and Denying in Part: Plaintiffs' Motion for Partial Summary Judgment; Defendant AOA's Motion for Summary Judgment; and Defendant Chow's Motion for Summary Judgment ("12/31/18 Order"). Dkt. no. 173, *also available at* 2018 WL 6841818. Before the Court is Plaintiffs Rudy Akoni Galima and Roxana Beatriz Galima's ("Plaintiffs") motion for partial reconsideration of the 12/31/18 Order ("Motion for Reconsideration"), filed June 23, 2020. [Dkt. no. 292.] The Motion for Reconsideration has been fully briefed. [Dkt. nos. 296 (Def. Association of Apartment Owners of Palm Court's ("AOAO") mem. in opp.), 297 (Def. Bryson Chow's joinder in the mem. in opp.), 302 (Pltfs.' reply).] The Court has considered the Motion for Reconsideration as a non-hearing matter pursuant to Local Rule 7.1(d).

The parties are hereby informed that the Motion for Reconsideration is GRANTED. The Court's ruling in the 12/31/18 Order on Plaintiffs' Haw. Rev. Stat. Chapter 480 claim against the AOA for unfair or deceptive acts or practices is VACATED, in light of Malabe v. Ass'n of Apartment Owners of Executive Center, 147 Hawai'i 330, 465 P.3d 777 (2020). A written order will follow that will supersede this ruling.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager