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Intermediate Court of Appeals  
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IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

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**NO. 30444**

Case No. CU-10-278

STATE OF HAWAI'I; CITY AND COUNTY OF HONOLULU;  
COUNTY OF HAWAI'I; COUNTY OF MAUI; COUNTY OF KAUAI;  
HAWAI'I HEALTH SYSTEMS CORPORATION; AND THE JUDICIARY,  
Complainants/Appellees-Appellees

vs.

DAYTON NAKANELUA, State Director,  
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO  
and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (2009-42),  
Respondents/Appellants-Appellants,

and

HAWAI'I LABOR RELATIONS BOARD; JAMES B. NICHOLSON;  
SESNITA A.D. MOEPOONO; and ROCK B. LEY,<sup>1/</sup>  
Agency/Appellees-Appellees.

Case No. CE-10-726

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,  
Complainant/Appellant-Appellant,

vs.

NEIL DIETZ,<sup>2/</sup> Chief Negotiator,  
Office of Collective Bargaining, State of Hawai'i (2009-043),  
Respondent/Appellee-Appellee,

and

HAWAI'I LABOR RELATIONS BOARD; JAMES B. NICHOLSON;  
SESNITA A.D. MOEPOONO; and ROCK B. LEY,  
Agency/Appellees-Appellees.

(CIVIL NO. 09-1-2488)

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<sup>1/</sup> Pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 43(c)(1) (2010), Sesnita A.D. Moepono and Rock B. Ley, current members of the Hawai'i Labor Relations Board (HLRB), are automatically substituted as parties for Emory J. Springer and Sarah R. Hirakami, former members of the HLRB.

<sup>2/</sup> Pursuant to HRAP Rule 43(c)(1), Neil Dietz, the current Chief Negotiator, is automatically substituted as a party for Marie Laderta, the former Chief Negotiator.

**NO. 30568**

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,  
Union-Appellee/Cross-Appellant,

vs.

STATE OF HAWAI'I; THE JUDICIARY;  
HAWAI'I HEALTH SYSTEMS CORPORATION,  
Employers-Appellants/Cross-Appellees,  
and  
CITY AND COUNTY OF HONOLULU (2009-044),  
Employer-Appellee.

(SPECIAL PROCEEDINGS NO. 09-1-0305)

**NO. CAAP-10-0000166**

Case No. CU-10-278

STATE OF HAWAI'I, CITY AND COUNTY OF HONOLULU;  
COUNTY OF HAWAI'I; COUNTY OF MAUI; COUNTY OF KAUAI;  
HAWAI'I HEALTH SYSTEMS CORPORATION; AND THE JUDICIARY,  
Complainants/Appellees-Appellees,

vs.

DAYTON NAKANELUA, State Director,  
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO  
AND UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (2009-042)  
Respondents/Appellants-Appellants,  
and  
HAWAI'I LABOR RELATIONS BOARD; JAMES B. NICHOLSON;  
SESNITA A.D. MOEPONO; and ROCK B. LEY,  
Agency/Appellees-Appellees.

Case No. CE-10-726

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,  
Complainant/Appellant-Appellant,

vs.

NEIL DIETZ, Chief Negotiator, Office of  
Collective Bargaining, State of Hawai'i (2009-043),  
Respondent/Appellee-Appellee,

and

HAWAI'I LABOR RELATIONS BOARD; JAMES B. NICHOLSON;  
SESNITA A.D. MOEPONO; and ROCK B. LEY,  
Agency/Appellees-Appellees.

(CIVIL NO. 10-1-0323)

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

ORDER OF CORRECTION

(By: Nakamura, Chief Judge, for the court<sup>3/</sup>)

The Opinion of the court, filed on January 31, 2014, is hereby corrected as follows:

1. On page 17, in the sixteenth line, the word "practice" should be inserted between the words "prohibited" and "pursuant" so that as corrected, the text reads: ". . . committed a prohibited practice pursuant to . . . ."

2. On page 21, in the nineteenth line, the word "the" should be inserted between the words "of" and "neutral" so that as corrected, the text reads: ". . . selection of the neutral arbitrator."

The clerk of the court is directed to take all necessary steps to notify the publishing agencies of these changes.

DATED: Honolulu, Hawai'i, April 4, 2014.

FOR THE COURT:

*Craig H. Nakamura*

Chief Judge

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<sup>3/</sup> Nakamura, Chief Judge, and Foley and Leonard, JJ.