IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WP ASSOCIATES, Plaintiff-Appellant,

VS.

DAVID BUSCH; HORIZON DEVELOPMENT; HORIZON MANAGEMENT GROUP; HORIZON AMUSEMENT GROUP, INC.; ESTATE OF JAMES CAMPBELL; WATERS OF KAPOLEI LLC; HARRINGTON INVESTMENTS, LLC; JACK HARRINGTON; and BROOKS CUTTER, Defendants-Appellants.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIV. NO. 99-1505)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Moon, C.J., for the court¹)

Plaintiff-appellant WP Associates's application for writ of certiorari, filed January 22, 2004, is denied.

DATED: Honolulu, Hawai'i, February 2, 2004.

James J. Bickerton (of Bickerton Saudners and Dang), for plaintiff-appellant, on the writ

Chief Justice

FOR THE COURT:

 $^{^{\}mbox{\tiny 1}}$ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.