

IN THE SUPREME COURT OF THE STATE OF HAWAII

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EMERSON
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STATE OF HAWAII

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FILED

HOWARD K. LESLIE, JR., Plaintiff-Appellant,

and

LEIMOMI LESLIE FRESCH, individually, and as next friend for
HOWARD K. LESLIE, JR., and HOWARD K. LESLIE, SR.,
Plaintiffs-Appellees,

vs.

THE ESTATE OF JAMIE K. TAVARES, Deceased, Defendant-Appellee,

and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE
CORPORATIONS 1-10; and DOE ENTITIES 1-10, Defendants

STATE OF HAWAII, DEPARTMENT OF HUMAN SERVICES,
Lien Holder-Appellee,

and

JOSEPH L. WILDMAN and SIBILLA & WILDMAN, Intervenors-Appellees
(Civ. No. 97-0448)

HOWARD K. LESLIE, JR., MEGAN LESLIE and MALYSSA LESLIE, minors,
through their Guardian Ad Litem MARLENE L. ANDUHA,
Plaintiffs-Appellants,

vs.

JEFFREY K. KANUI, personal representative of THE ESTATE OF
JAMIE K. TAVARES, Defendant-Appellee,

and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE
CORPORATIONS 1-10; and DOE ENTITIES 1-10, Defendants

JEFFREY K. KANUI, personal representative of THE ESTATE OF
JAMIE K. TAVARES, Third-Party Plaintiff

vs.

LEIMOMI L. FRESCH and HOWARD K. LESLIE, SR.,
Third-Party Defendants
(Civ. No. 98-5468)

NO. 24553

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(Civ. Nos. 97-0448 & 98-5468)

NOVEMBER 28, 2005

MOTION FOR RECONSIDERATION

MOON, C.J., LEVINSON, NAKAYAMA, ACOBA, AND DUFFY, JJ.

Upon consideration of the motion for reconsideration filed by the plaintiffs-appellants Howard K. Leslie, Jr., Megan Leslie, and Malysa Leslie, on November 18, 2005, requesting that this court review its opinion, filed on November 10, 2005,

IT IS HEREBY ORDERED that the motion for reconsideration is granted in part as follows:

Footnote 4 at page 8 is deleted.





IT IS FURTHER ORDERED that the motion for reconsideration is denied in all other respects.

The Clerk of the Court is directed to incorporate the foregoing changes into the original opinion.

On the motion:

Frederick W. Rohlfing,
for the plaintiff-appellant
Howard K. Leslie, Jr.

Cynthia A. Farias,
for the plaintiffs-appellants
Megan Leslie and Malysa Leslie





James E. Duffy, Jr.