

NO. 26610

IN THE SUPREME COURT OF THE STATE OF HAWAII

808 DEVELOPMENT, LLC, Lienor-Appellant/Cross-Appellee,

vs.

GLENN NOBUKI MURAKAMI and ANN SUE ISOBE,
Respondents-Appellees/Cross-Appellants

and

JOSEPH E. SPADARO aka JOSEPH ELIO SPADARO
individually and as Trustee under that certain
Declaration of Trust dated October 3, 2000

JOHN NELSON SPADARO; JIM HOGG; LISA HOGG; and
AMERICAN SAVINGS BANK, F.S.B., Respondents-Appellees,

and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; DOE ENTITIES 1-10; and
DOE GOVERNMENTAL UNITS 1-10, Respondents.

KHAMAKAOGI
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 SEP - 7 PM 3: 25

FILED

APPEAL FROM THE FIRST CIRCUIT COURT
(M.L. NO. 04-1-0002)

ORDER OF AMENDMENT

(By: Moon, C.J., for the court¹)

IT IS HEREBY ORDERED that the opinion of the court in the
above captioned matter, filed August 14, 2006, is amended as
follows (deleted material is bracketed and stricken; new material
is double underscored):

¹ Considered by: Moon, C.J., Levinson, Acoba, and Duffy, JJ.; and
Intermediate Court of Appeals Associate Judge Watanabe, in place of Nakayama,
J., recused

At the bottom of page 34 to the top of page 35:

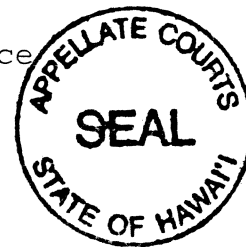
In addition, 808 Development's failure to discuss Hiraga does not render[s] its arguments frivolous because Hiraga promotes strict adherence to the requirements of the relevant statutes as they relate to a lien application, whereas 808 Development's arguments centered on why the court should exempt it from the strict statutory requirements.

The Clerk of the Court is directed to incorporate the foregoing changes in the original opinion and take all necessary steps to notify the publishing agencies of these changes.

DATED: Honolulu, Hawai'i, September 7, 2006.

FOR THE COURT:


Chief Justice



No. 26610 808 Development, LLC v. Murakami -- Order of
Amendment