

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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PHILLIP A. BRENDE; DOLORES L. BRENDE, Petitioners,

vs.

THE HONORABLE GLENN S. HARA, JUDGE OF THE CIRCUIT COURT OF THE
THIRD CIRCUIT, STATE OF HAWAI'I, Respondent.

KUULEI K. KUALII; JOHN DOES 1-10; JANE DOES 1-10; DOE
PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10; ROE "NON-PROFIT"
CORPORATIONS 1-10; and ROE GOVERNMENTAL ENTITIES 1-10,
Respondents, Real Parties in Interest.

NO. 27964

MOTION FOR RECONSIDERATION
(CIV. NO. 05-1-0108)

JANUARY 25, 2007

KHAMAKA'DO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2007 JAN 25 PM 1:55

FILED

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

Upon consideration of respondent Kuulei Kualii's motion for reconsideration of the November 27, 2006 opinion and the responses of petitioners Phillip Brende and Dolores Brende and amici curiae First Insurance Company of Hawaii, Ltd. and Hawaii Insurers Council,

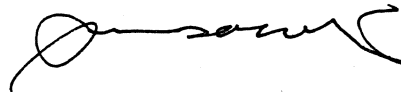
IT IS HEREBY ORDERED that the motion for reconsideration is granted to the extent that the November 27, 2006 opinion will be clarified. The opinion filed on November 27, 2006 is hereby vacated and an amended opinion will be filed.

The Clerk of the Court is directed to provide a copy of this order and a copy of the amended opinion to the parties and notify the publishing agencies of the changes. The Clerk of the Court is further instructed to distribute copies of this order and the amended opinion to those who received the previously filed opinion.

Randall Y.S. Chung
and Melanie S. Matsui
(of Matsui Chung) for
respondent Kuulei K. Kualii
on the motion

Arthur Y. Park, Vernon Yu,
Laurent J. Remillard, Jr.,
John C. McLaren (of Park
Park Yu & Remillard), and
Lionel D. Meyer for petitioners
in response

Bradford F.K. Bliss and
Stephan M. Reinke (of Lyons,
Brandt, Cook & Hiramatsu) for
Amici Curiae First Insurance
Company of Hawaii, Ltd. and
Hawaii Insurers Council



Benjamin E. Duggan, Jr.