

NO. 25930

IN THE SUPREME COURT OF THE STATE OF HAWAII

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FILED

WAILUKU AGRIBUSINESS CO., INC.,
Respondent/Plaintiff-Appellee

vs.

HARVEY AH SAM, PATRICK AH SAM, FREDERICK K. BAILEY, JR.,
KENNETH D. KAHOOHANO, RICHERT M. KAMAIOPILO, SUSAN K.
KOEHLER, MAEBELLE M. LIBRANDO, IRADAY U. BAILEY, PATRICK E.K.
BAILEY, PETER L. BAILEY, ROBERT ALLEN BELL, PATRICK K.T. CHU,
ROCHELLE J. GARDANIER, CHARLES KAULUWEHI MAXWELL, SR., JUDITH L.
NAGAMINE, JACQUELINE KUAHINE AMINA RAPOZA, JANICE L. REVELLS,
CLOVIS GYETVAI, ELIZABETH KEALA HAN, GLENN F. KAHOOHANO,
HELENE R. SARONITMAN, HANNAH E.H. SOUZA, LILLIE LANI BAILEY
MUNDON, CHARLES E. ST. GERMAIN and WAYNE CHUN,
Petitioners/Defendants-Appellants

and

KALAPUNA (k) and his wife, KEKUI (w), KAHOLOLIO (w),
also known as HOLOLIO HENNESSEE (w), HEIRS OR ASSIGNS,
CAROLINE K. BROWN, GAYLE J. SILVA, ELLEN P. PARKER,
AYIEESHYA BONNIE MAPUA MURPHY, JULY SIMEONA, CAROL A.H.
GAYLORD, PEARL LEIMOMI KAMAIOPILO, CHARLES PILA,
EDWARD K. AMINA, JOYCE L. ACIDERA, JADE V. MIYAMOTO,
HARMON AH SAM, JOAN L. POWELL, PAMELA ROE, BENEDETTA L.
DAVIDSON, FREDNA YIM COBB-ADAMS, MABEL E.H. GRIFFIN,
HERBERT KALUAU SR., SHIRLEY MAILE BELL, BONNIE A. MEYERS,
AND ALL WHOM IT MAY CONCERN, Defendants

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 02-1-0071(3))

ORDER DENYING MOTION FOR RECONSIDERATION

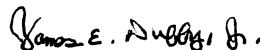
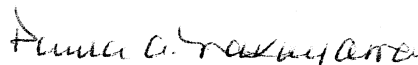
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Respondent-Appellee Wailuku Agribusiness Co., Inc.'s
motion for reconsideration filed on April 9, 2007, requesting
that this court review its opinion filed on March 30, 2007,
reversing in part the opinion of the Intermediate Court of

Appeals filed on August 1, 2006, that affirmed the second circuit court's June 2, 2003 judgment in favor of Appellee, is hereby denied.

DATED: Honolulu, Hawai'i, April 19, 2007.

Gary G. Grimmer and
Melissa H. Lambert
(Carlsmith Ball LLP),
on the motion for
Respondent-Appellee.



James E. Duggan, Jr.