

NO. 26204

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

EMERSON M.F. JOU, M.D., And As To Some Claims,  
On Behalf Of The Class of Others Similarly Situated,  
Petitioner/Plaintiff-Appellant

vs.

NATIONAL INTERSTATE INSURANCE COMPANY OF HAWAII,  
A Corporation; ADP INTEGRATED MEDICAL SOLUTIONS,  
An Entity, Form Unknown; and DARWIN CHING,<sup>1</sup> Interim  
Director, Department of Labor, State of Hawaii,  
Respondents/Defendants-Appellees

and

JOHN DOE 1-10; DOE CORPORATION 1-10;  
DOE PARTNERSHIP 1-10; and DOE GOVERNMENTAL  
ENTITY 1-10, Defendants.

K. HAMAKADO  
CLERK  
APPELLATE COURTS  
STATE OF HAWAII

2007 SEP 20 PM 2:36

FILED


CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIV. NO. 03-1-0233)

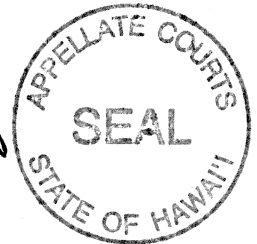
ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Acoba, J., for the court<sup>2</sup>)

The Application for Writ of Certiorari filed on  
August 14, 2007 by Petitioner/Plaintiff-Appellant Emerson M.F.  
Jou, M.D., is hereby rejected.

DATED: Honolulu, Hawai'i, September 20, 2007.

FOR THE COURT:

  
SIMEON R. ACOBA, JR.  
Associate Justice



<sup>1</sup> Pursuant to Hawai'i Rules of Appellate Procedure Rule 43(c)(1), Darwin Ching, the current Interim Director of the Department of Labor, State of Hawai'i, has been substituted for Nelson Befitel, the Director at the time this case was decided by the first circuit court.

<sup>2</sup> Considered by Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.

Stephen M. Shaw for  
Petitioner/Plaintiff-  
Appellant, on the  
application.

Randall Y.S. Chung and  
James H. Monma (Matsui  
Chung) for National  
Interstate Insurance  
Company and Respondent/  
Defendant-Appellee National  
Interstate Insurance  
Company of Hawaii,  
on the response.

George W. Playdon, Jr. and  
Kelvin H Kaneshiro (Reinwald,  
O'Connor & Playdon LLP) for  
Respondent/Defendant-  
Appellee ADP Integrated  
Medical Solutions, on the  
opposition.