

*** FOR PUBLICATION ***
in West's Hawai'i Reports and the Pacific Reporter

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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THE ASSOCIATION OF APARTMENT OWNERS OF NEWTOWN MEADOWS,
by its Board of Directors, Plaintiff-Appellant/
Cross-Appellee,

vs.

VENTURE 15, INC., ROYAL CONTRACTING CO., LTD.
A. W. ASSOCIATES, INC. dba GEOLABS HAWAII, and
R.H.S. LEE, INC., Defendants-Appellees/Cross-Appellees,

and

S. HORITA CONTRACTING & BUILDING SUPPLIES, LTD., and
DOES 4-100, Defendants.

LEHIGH COUNTY COURTS
OF HAWAII
KUHAKAKAID

2007 SEP 20 AM 10:04

FILED

VENTURE 15, INC., Third-Party Plaintiff-Appellee,

vs.

S. HORITA CONTRACTING & BUILDING SUPPLIES, LTD.,
Third-Party Defendant,

GEOLABS HAWAII, Defendant and Additional
Third-Party Plaintiff-Appellee,

vs.

COMMUNITY PLANNING, INC., Additional Third-Party Defendant,

and

VENTURE 15, INC., ROYAL CONTRACTING COMPANY,
Additional Third-Party Counterclaim Defendants-Appellees,

and

S. HORITA CONTRACTING & BUILDING SUPPLIES, LTD.,
Additional Third-Party Counterclaim Defendants.

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S. HORITA CONTRACTING & SUPPLIES, LTD., Defendant
and Additional Third-Party Plaintiff

vs.

LIU CONSTRUCTION, INC., Additional Third-Party
Defendant-Appellee/Cross-Appellant.

NO. 26637

MOTIONS FOR RECONSIDERATION
(CIV. NO. 97-0642)

SEPTEMBER 20, 2007

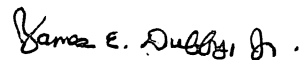
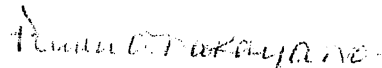
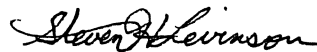
MOON, C.J., LEVINSON, NAKAYAMA, AND DUFFY, JJ.;
ACOPA, J., CONCURRING AND DISSENTING SEPARATELY

Upon consideration of the motions for reconsideration filed by defendant-appellee/cross-appellant Liu Construction, Inc. and plaintiff-appellant/cross-appellee Association of Apartment Owners of Newtown Meadows, the papers in support thereof, and the record herein,

IT IS HEREBY ORDERED that the motions are denied.

Myles T. Yamamoto,
Terrance M. Revere, and
Jacqueline E. Thurston,
for plaintiff-appellant/
cross-appellee AOA
Newtown Meadows

Dean E. Ochiai, Brenda
Morris, Shannon L. Wack,
and Randall Y. Kaya,
for defendant-appellee/
third-party plaintiff-
appellee Venture 15, Inc.



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Gary W. K. Au Young, for
defendant-appellee Royal
Contracting Company, Ltd.

Michael H. Tsuchida (of
Miyagi, Nohr & Myhre),
for defendant-appellee
R.H.S. Lee, Inc.

Wesley H. H. Chin, Sheree
A. Kon-Herrera, and Lois
H. Yamaguchi (of Fukunaga,
Matayoshi, Hershey &
Ching), for additional third-
party defendant-appellee
Liu Construction, Inc.

On the record:

Randall K. Schmitt and
Paul B. K. Wong (of McCorriston
Miller Mukai & MacKinnon), for
defendant-appellee/cross-
appellee Geolabs Hawaii, Inc.

CONCURRENCE AND DISSENT BY ACOBA, J.

I would grant reconsideration with respect to the
economic loss rule and punitive damages as stated in my opinion
concurring in part and dissenting in part, but deny
reconsideration in other respects.



No. 26637 AOAO Newtown Meadows v. Venture 15: Order Denying
Motions for Reconsideration