

NOS. 25344 & 26820

IN THE SUPREME COURT OF THE STATE OF HAWAII

K. HAMAKA'DO  
CLERK APPELLATE COURTS  
STATE OF HAWAII

2007 NOV 23 AM 8:30

FILED

No. 25344

HAWAII VENTURES, LLC, Plaintiff-Appellant/  
Cross-Appellee,

vs.

OTAKA, INC.; TAKAO BUILDING CO., LTD., formerly  
known as Takao Building Development Co., Ltd.;  
K.K. KAINI SEVEN, YUKIO TAKAHASHI; HAWAIIAN WAIKIKI  
BEACH, INC.; ALAKA'I MECHANICAL CORPORATION; HEWLETT-  
PACKARD COMPANY; HAWAII ENERGY MANAGEMENT CO., LLC.,  
Defendants-Appellees/Cross-Appellants,

and

BUSINESS MANAGEMENT GROUP, INC.; BEACH SNACK  
EXPRESS, INC.; JOHN DOES 1-50; JANE DOES 1-50;  
DOE PARTNERSHIPS 1-50; DOE CORPORATIONS 2-50;  
DOE ENTITIES 1-50; and DOE GOVERNMENTAL  
UNITS 1-50, Defendants,

and

ILWU LOCAL 142 AFL-CIO, and THEODORE H. SMYTH,  
Trustee, SMYTH FAMILY TRUSTS, Intervenor  
Defendants-Appellees/Cross-Appellants,

and

ARGONAUT INSURANCE COMPANY, Intervenor  
Defendant-Appellee/Cross-Appellee,

and

OTAKA, INC. and HAWAIIAN WAIKIKI BEACH, INC.,  
Counterclaimants-Appellees/Cross-Appellants,

vs.

LEUCADIA NATIONAL CORPORATION,  
Additional Counterclaim Defendant.

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PATRICIA KIM PARK, Receiver-Appellee/Cross-Appellee.

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No. 26820

HAWAII VENTURES, LLC, Plaintiff-Appellant/  
Cross-Appellee,

vs.

OTAKA, INC.; TAKAO BUILDING CO., LTD., formerly  
known as Takao Building Development Co., Ltd.;  
K.K. KAINI SEVEN, YUKIO TAKAHASHI; HAWAIIAN WAIKIKI  
BEACH, INC., Defendants-Appellees/Cross-Appellees/  
Cross-Appellants,

and

ALAKA'I MECHANICAL CORPORATION; HEWLETT-PACKARD  
COMPANY; BUSINESS MANAGEMENT GROUP, INC.; BEACH SNACK  
EXPRESS, INC.; and HAWAII ENERGY MANAGEMENT CO., LLC.,  
Defendants-Appellees/Cross-Appellees,

and

JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;  
DOE CORPORATIONS 2-50; DOE ENTITIES 1-50; and  
DOE GOVERNMENTAL UNITS 1-50, Defendants,

and

THEODORE H. SMYTH, Trustee, SMYTH FAMILY TRUSTS,  
Intervenor Defendants-Appellees/Cross-Appellants/  
Cross-Appellees,

and

ILWU LOCAL 142 AFL-CIO and ARGONAUT INSURANCE  
COMPANY, Intervenor Defendants-Appellees/  
Cross-Appellees/Cross-Appellant,

and

OTAKA, INC. and HAWAIIAN WAIKIKI BEACH, INC.,  
Counterclaimants-Appellees/Cross-Appellees,

vs.

LEUCADIA NATIONAL CORPORATION, Additional Counterclaim  
Defendant-Appellee/Cross-Appellee.

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PATRICIA KIM PARK, Receiver-Appellee/Cross-Appellee.

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FORMER EMPLOYEES OF HAWAIIAN WAIKIKI BEACH HOTEL,  
Party In Interest-Appellee/Cross-Appellee/Cross-Appellant.

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 00-1-2427)

ORDER GRANTING MOTION FOR RECONSIDERATION  
(By: Moon, C.J., for the court<sup>1</sup>)

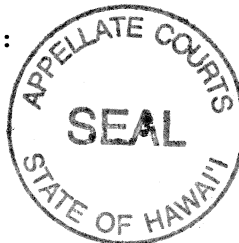
Upon consideration of receiver-appellee/cross-appellee Patricia Kim Park's motion for reconsideration, filed October 8, 2007, the papers in support thereto, and the record herein,

IT IS HEREBY ORDERED that the motion for reconsideration is granted and the opinion of this court, filed September 26, 2007, is amended and filed concurrently with this order.

DATED: Honolulu, Hawai'i, November 23, 2007.

FOR THE COURT:

  
Chief Justice



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<sup>1</sup> Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.