

NO. 27281

IN THE SUPREME COURT OF THE STATE OF HAWAII

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EMERSON M.F. JOU, M.D., Plaintiff-Appellant-Petitioner

vs.

ARGONAUT INSURANCE COMPANY, an Entity, Form Unknown; CITY AND COUNTY OF HONOLULU, A Self-Insured Governmental Entity; HEMIC, aka Hawaii Employers Medical Insurance Company, An Entity, Form Unknown; And MARRIOTT CLAIM SERVICES CORPORATION, a Corporation, Defendants-Appellees-Respondents.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CIV. NO. 03-1-1445)

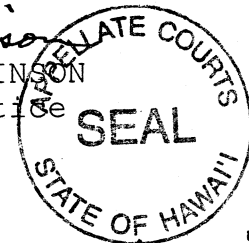
ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Levinson, J., for the court, and  
Acoba, J., dissenting<sup>1</sup>)

Upon consideration of the application for writ of certiorari filed on October 29, 2007, by the plaintiff-appellant-petitioner Emerson M.F. Jou, M.D., the application is hereby rejected.

DATED: Honolulu, Hawaii, December 13, 2007.

FOR THE COURT:

  
STEVEN H. LEVINSON  
Associate Justice



Stephen M. Shaw,  
for the plaintiff-appellant-petitioner  
Emerson M.F. Jou, M.D.,  
on the application

Richard F. Nakamura and  
Steven L. Goto of  
Ayabe, Chong, Nishimoto, Sia & Nakamura,  
for the defendant-appellee-respondent  
Mariott Claim Services Corporation,  
on the opposition

NORMA T. YARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

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FILED

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

John Reyes-Burke of  
Burke McPheeters Bordner & Estes,  
for the defendant-appellee-respondent  
HEMIC, aka Hawaii Employers Medical Insurance Company  
on the joinder to the memorandum in opposition to the  
application