

NO. 27558

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ASSOCIATION OF APARTMENT OWNERS OF THE CLIFFS AT PRINCEVILLE,
Applicant-Appellee,

vs

PREMIER RESORTS INTERNATIONAL, INC., dba VILLAGE RESORTS,
Respondent-Appellant.

APPEAL FROM THE FIFTH CIRCUIT COURT
(S.P. NO. 04-1-0003)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Nakayama, J., for the Court¹
and Acoba, J., dissenting)

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 JAN 20 PM 3:29

FILED

Upon consideration of Respondent/Appellant Premier Resorts International, Inc., dba Village Resorts' motion for reconsideration of the December 30, 2008 order partially granting and partially denying Applicant/Appellee Association of Association of Apartment Owners of the Cliffs at Princeville's request for fees and costs, and the record herein,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, January 20, 2009.

FOR THE COURT:

Dania A. ...
Associate Justice



DISSENT BY ACOBA, J.

I respectfully disagree and would grant the motion for reconsideration.

[Signature]
Seal of the Appellate Courts of the State of Hawaii

¹Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Retired Justice Levinson, appointed by reason of vacancy, on January 15, 2009.