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NO. SCWC-29597

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

COMPUSA STORES LP, Respondent/Taxpayer-Appellant,

VS.

DEPARTMENT OF TAXATION, STATE OF HAWAI'I, Petitioner/Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (TX05-0065)

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

Upon consideration of Respondent/Taxpayer-Appellant's Motion for Reconsideration filed on March 3, 2011, and pursuant to Hawai'i Rules of Appellate Procedure Rule 40(d),

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, March 9, 2011.

/s/ Mark E. Recktenwald

Chief Justice



Considered by: Recktenwald, C.J., Nakayama, Acoba, Duffy, and Circuit Judge Lee, assigned by reason of vacancy.