

Electronically Filed
Supreme Court
SCAP-13-0005781
19-FEB-2016
02:01 PM

SCAP-13-0005781

IN THE SUPREME COURT OF THE STATE OF HAWAII

SURFRIDER FOUNDATION; HAWAII'S THOUSAND
FRIENDS; KA IWI COALITION; and KAHEA – THE
HAWAIIAN-ENVIRONMENTAL ALLIANCE,
Petitioners/Plaintiffs-Appellants,

vs.

ZONING BOARD OF APPEALS, CITY & COUNTY OF HONOLULU;
DIRECTOR OF THE DEPARTMENT OF PLANNING &
PERMITTING, CITY & COUNTY OF HONOLULU; KYO-YA
HOTELS & RESORTS LP; AND 20,000 FRIENDS OF LABOR,
Respondents/Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CAAP-13-0005781; CIV. NO. 13-1-0874-03)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack JJ.,
with Wilson, J., dissenting separately)

Upon consideration of the motion for reconsideration
submitted on February 11, 2016, by Surfrider Foundation, Hawaii's
Thousand Friends, Ka Iwi Coalition, and Kahea – The Hawaiian-
Environmental Alliance and the records and files herein,

IT IS HEREBY FURTHER ORDERED that Surfrider's motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, February 19, 2016.

Linda M. B. Paul
for petitioners
Surfrider Foundation et al.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack



Peter T. Kashiwa,
Lisa Woods Munger,
Randall C. Whattoff,
David J. Hoftiezer and
Lisa A. Bail
for respondent Kyo-Ya
Hotels & Resorts, LP

William Meheula and
Natasha Baldauf
for respondent 20,000
Friends of Labor

Donna Y. L. Leong,
Don S. Kitaoka and
Brad T. Saito
for respondent Department
of Planning and Permitting
City and County of Honolulu