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Supreme Court
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SCWC-16-0000260

IN THE SUPREME COURT OF THE STATE OF HAWAII

DONNA H. YAMAMOTO, an individual,
Petitioner/Plaintiff-Appellant,
vs.
DAVID W.H. CHEE; TOM CHEE WATTS DEGELE-MATHEWS & YOSHIDA, LLP,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP NO. 16-0000260; 1CC151001696)

ORDER GRANTING IN PART AND DENYING IN PART
MOTION FOR RECONSIDERATION OF THE OPINION FILED MARCH 2, 2020
(By: Nakayama, McKenna, Pollack, and Wilson, JJ, with Recktenwald,
C.J., dissenting in part.)

Upon consideration of Respondents/Defendants-Appellees' Motion for Reconsideration of the Opinion Filed March 2, 2020 ("motion"), filed March 12, 2020, and the record and files herein,

IT IS HEREBY ORDERED, that the motion is granted in part and denied in part.

The motion is granted to amend the first four sentences of page 5 of the opinion to read as follows:

Allegedly unaware that her Partnership capital account had already been debited \$19,134.31 to repay the Law Firm, Yamamoto handed Chee a personal check payable to the Law Firm for the same amount. Yamamoto allegedly told Chee that the check was to repay the firm as they had previously agreed. Additionally, the memo line of the personal check allegedly read "401K loan repay."

Chee allegedly knew the Law Firm had already been repaid but allegedly concealed from Yamamoto that he had

already debited Yamamoto's capital account in the amount of \$19,134.31.

An Order of Correction will be filed contemporaneously with this order.

In all other respects, the motion is denied.

DATED: Honolulu, Hawai'i, March 19, 2020.

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

