

**Electronically Filed  
Supreme Court  
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21-MAY-2020  
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SCWC-16-0000890 and SCWC-17-0000216

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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PRUDENTIAL LOCATIONS, LLC,  
Respondent/Plaintiff-Appellant,

vs.

LORNA GAGNON and PRESTIGE REALTY  
GROUP LIMITED LIABILITY COMPANY,  
Petitioners/Defendants/Cross-Claim Defendants-Appellees,

and

RE/MAX LLC; and LORRAINE CLAWSON,  
Respondents/Defendants/Cross-Claimants/  
Third-Party Plaintiffs-Appellees,

and

KEVIN TENGAN, Respondent/Third-Party Defendant-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-16-0000890; CAAP-17-0000216; CIV. NO. 13-1-2328)

ORDER DISMISSING APPLICATIONS FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

It appearing that the judgment on appeal in the above-referenced matters not having been filed by the Intermediate Court of Appeals at the time the applications for writ of certiorari were filed, see Hawai‘i Revised Statutes § 602-59(a)

(Supp. 2016); see also Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2016),

IT IS HEREBY ORDERED that Petitioners' applications for writ of certiorari, filed on May 15, 2020, are dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2017). ("The application shall be filed within thirty days after the filing of the Intermediate Court of Appeals' judgment on appeal or dismissal order, unless the time for filing the application is extended in accordance with this rule.").

DATED: Honolulu, Hawai'i, May 21, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

