

**Electronically Filed  
Supreme Court  
SCWC-11-0001034  
18-JAN-2013  
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SCWC-11-0001034

IN THE SUPREME COURT OF THE STATE OF HAWAII

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FRANCISCO ALVAREZ,  
Respondent/Claimant-Appellee,

vs.

KYO-YA, INC., dba SHERATON WAIKIKI HOTEL,  
Respondent/Employer-Appellee,

and

FIRST INSURANCE COMPANY OF HAWAII, LTD.,  
Respondent/Insurance Carrier-Appellee,

and

ADJUSTING SERVICES OF HAWAII, INC.,  
Respondent/Third-Party Administrator-Appellee,

vs.

EMERSON M.F. JOU, M.D.,  
Petitioner/Intervenor-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-11-00001034; AB NO. 2009-305 (2-94-05744))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Nakayama, Acting C.J., Acoba, McKenna, and Pollack, JJ.,  
and Circuit Judge Sakamoto, in place of Recktenwald, C.J., recused)

Petitioner/Intervenor-Appellant's application for writ  
of certiorari, filed on December 20, 2012, is hereby rejected.

DATED: Honolulu, Hawai'i, January 18, 2013.

Stephen M. Shaw  
for petitioner

/s/ Paula A. Nakayama

Laurie E. Keeno  
for respondents  
Kyo-ya, Inc., dba Sheraton  
Waikiki Hotel and  
First Insurance Company of  
Hawaii, Ltd.

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Karl K. Sakamoto

