

**Electronically Filed  
Supreme Court  
SCWC-28917  
16-JAN-2013  
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SCWC-28917

IN THE SUPREME COURT OF THE STATE OF HAWAII

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CIVIL NO. 03-1-1922

NST HOLDINGS CORP., dba BUDGET HAWAIIAN HOLIDAYS, GENE MIYAKE and  
DANNY CHING, Respondents/Plaintiffs-Appellants/Cross-Appellees,

vs.

ALTRES, INC., Petitioner/Defendant-Appellee/Cross-Appellant,

and

NAUTILUS INSURANCE COMPANY,  
Respondent/Defendant-Appellee/Cross-Appellee,

and

GARY DIFALCO, Respondent/Defendant;

AND

CIVIL NO. 04-1-0776

NST HOLDINGS CORP., dba BUDGET HAWAIIAN HOLIDAYS, DANNY CHING and  
GENE MIYAKE, Respondents/Plaintiffs-Appellants/Cross-Appellees,

vs.

ALTRES, INC., Petitioner/Defendant-Appellee/Cross-Appellant,

and

ISLAND INSURANCE COMPANY,  
Respondent/Defendant-Appellee/Cross-Appellee,

and

GARY DIFALCO, Respondent/Defendant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 28917)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, and Acoba, JJ., and  
Circuit Judge Crandall, in place of McKenna, J., recused, and  
Circuit Judge Del Rosario, in place of Pollack, J., recused)

Petitioner/Defendant-Appellee/Cross-Appellant Altres,  
Inc.'s application for writ of certiorari filed on December 3,  
2012, is hereby accepted and will be scheduled for oral argument.  
The parties will be notified by the appellate clerk regarding  
scheduling.

DATED: Honolulu, Hawai'i, January 16, 2013.

Mark T. Shklov and  
Michel A. Okazaki for  
petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

Roy F. Epstein for  
respondents NST Holdings  
Corp., Gene Miyake and  
Danny Ching

/s/ Simeon R. Acoba, Jr.

/s/ Virginia L. Crandall

/s/ Dexter D. Del Rosario

