

**Electronically Filed
Supreme Court
SCWC-29210
28-DEC-2011
11:09 AM**

NO. SCWC-29210

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

CFI INC., a Hawai‘i Corporation,
Respondent/Plaintiff/Appellant,

vs.

HAMAKUA COAST REALTY, INC., a Hawai‘i Corporation,
and DENIS FERRARI, Respondents/Defendants/Appellees,

and

ERNEST B. TEXEIRA,
Respondent/Defendant-Third-Party Plaintiff/Appellee

and

ALA KAI REALTY, INC., a Hawai‘i Corporation,
Petitioner/Defendant-Third-Party Plaintiff/Appellee,

and

TEX INC., a Hawai‘i Corporation, et al.,
Respondent/Defendant/Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 29210; CIV. NO. 06-1-0380 (HILO))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

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

Petitioner/Defendant-Third-Party Plaintiff/Appellee

Ala Kai Realty, Inc.'s application for writ of certiorari, filed on November 22, 2011, is hereby rejected.

DATED: Honolulu, Hawai'i, December 28, 2011.

Dwayne Stephen Lerma and
Jo Anne E. Goya (Lerma &
Goya) for petitioner/
defendant-third-party
plaintiff/appellee
on the application.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

Douglas L. Halsted,
for respondent/plaintiff/
appellant on the opposition.

/s/ Karl K. Sakamoto

