

Electronically Filed
Supreme Court
SCWC-30565
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NO. SCWC-30565

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

CAROL A. BROWN, M.D. and CAROL A. BROWN, M.D., INC.,
Petitioners/Plaintiffs-Appellants,

vs.

HAWAII MEDICAL SERVICE ASSOCIATION, a mutual
benefit society; and ALAN VAN ETTEN, Arbitrator,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30565; CIV. NO. 08-1-0288)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

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

It appearing that the judgment on appeal in the above-
referenced matter has not been entered by the Intermediate Court
of Appeals, see Hawai‘i Revised Statutes § 602-59(a) (Supp.
2008); see also Hawai‘i Rules of Appellate Procedure (HRAP) Rule
36(b)(1) (2008),

IT IS HEREBY ORDERED that Petitioners/Plaintiffs-
Appellants’ application for writ of certiorari filed on April 23,
2012, is dismissed without prejudice to re-filing the application
pursuant to HRAP Rule 40.1(a) (“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, April 26, 2012.

R. Steven Geshell for
petitioners/plaintiffs-
appellants on the application

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Bert I. Ayabe

/s/ Gary W. B. Chang

/s/ Richard W. Pollack

