

NO. 28602

IN THE SUPREME COURT OF THE STATE OF HAWAII

EMERSON  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2009 SEP 15 PM 2:40

FILED

Civil No. 06-1-0265

UNITE HERE! LOCAL 5; ERIC W. GILL; TODD A.K. MANNING,  
Respondents/Plaintiffs-Appellees,

vs.

CITY AND COUNTY OF HONOLULU, a municipal corporation;  
KUILIMA RESORT COMPANY, a Hawai'i corporation,  
Respondents/Defendants-Appellees,

KUILIMA RESORT COMPANY, a Hawai'i general partnership,  
Respondent/Counterclaim Plaintiff-Appellee,

vs.

UNITE HERE! LOCAL 5 HAWAII, a Hawai'i labor organization;  
ERIC W. GILL, an individual,  
Respondents/Counterclaim Defendants-Appellees,

KUILIMA RESORT COMPANY, a Hawai'i general partnership,  
Respondent/Counterclaim Plaintiff-Appellee,

vs.

UNITE HERE!, a New York labor organization,  
Respondent/Additional Counterclaim Defendant-Appellee.

Civil No. 06-1-0867

KEEP THE NORTH SHORE COUNTRY, a Hawai'i non-profit corporation;  
and SIERRA CLUB, HAWAII CHAPTER, a foreign non-profit  
corporation, Petitioners/Plaintiffs-Appellants,

vs.

CITY AND COUNTY OF HONOLULU; HENRY ENG, Director of Department  
of Planning and Permitting, in his official capacity;

KUILIMA RESORT COMPANY, a Hawai'i general partnership,  
Respondents/Defendants-Appellees.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS

ASSIGNMENT OF SUBSTITUTE JUSTICE

(By: Moon, C.J.)

TO THE HONORABLE DERRICK H.M. CHAN, Judge of the Circuit Court of  
the First Circuit, State of Hawai'i:

You are hereby assigned, pursuant to article VI, § 2 of  
the Constitution of the State of Hawai'i, to sit with the  
justices of the Supreme Court of Hawai'i, in place of Associate  
Justice Mark E. Recktenwald, recused, to consider and determine  
the above-entitled cause.

DATED: Honolulu, Hawai'i, September 15, 2009.

  
Chief Justice

