1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2006 FEB 13 PM 1:53

CLERK

MARK J. BENNETT 2672
Attorney General of Hawaii

JAMES E. HALVORSON 5457
JEFFREY A. KEATING 6624
Deputy Attorneys General
Department of the Attorney General
State of Hawaii
235 S. Beretania Street, 15th Floor
Honolulu, Hawaii 96813
Telephone: 808-587-2900
Facsimile: 808-587-2965

Attorneys for Respondents-Appellees

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

In the Matter of

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO,

Complainant-Appellant,

and

AMADOR CASUPANG, Labor Relations Specialist, Department of Transportation, State of Hawaii; LISA DAU; Department of Transportation, State of Hawaii; RODNEY HARAGA, Director, Department of Transportation, State of Hawaii; and LINDA LINGLE, Governor, State of Hawaii (2004-006),

Respondents-Appellees,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, EMORY J. SPRINGER, and KATHLEEN RACUYA-MARKRICH,

Agency-Appellees
Appellees.

CIVIL NO. 05-1-1373 (SSM)
(Agency Appeal)

ORDER AFFIRMING HAWAII LABOR RELATIONS BOARD DECISION NO. 453, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Oral Argument:

Date: January 23, 2006
Time: 11:00 a.m.
Judge: Sabrina S. McKenna

ORDER AFFIRMING HAWAII LABOR RELATIONS BOARD DECISION NO. 453, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Complainant-Appellant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO's ("HGEA") Notice of Appeal filed on July 29, 2005 came on for oral argument before the Honorable Sabrina S. McKenna on January 23, 2006. Herbert R. Takahashi, Esq., appeared on behalf of Complainant-Appellant HGEA; Valri Lei Kunimoto, Esq., appeared on behalf of the Agency-Appellees Appellees HAWAII LABOR RELATIONS BOARD, et al. ("Board"), and Jeffrey A. Keating, Deputy Attorney General, State of Hawaii, appeared on behalf of Respondents-Appellees AMADOR CASUPANG, et al. The Court having reviewed the written submissions of the parties, having heard oral argument, being fully advised in the premises and good cause appearing therefore;

IT IS HEREBY ORDERED that the Hawaii Labor Relations Board Decision No. 453, Findings of Fact, Conclusions of Law and Order, dated June 30, 2005 is affirmed. The Court agrees with the decision of the Board for the reasons stated in the Board's decision.

DATED: Honolulu, Hawaii, FEB 10 2006.

SABRINA S. MCKENNA

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

Herbert R. Takahashi, Esq.
Attorney for HGEA
Complainant-Appellee

Valri Lei Kunimoto

Valri Lei Kunimoto, Esq.
Attorney for Hawaii Labor Relations Board
Agency-Appellees Appellees

FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2006 FEB 21 AM 9:40

H. CHING
CLERK

MARK J. BENNETT 2672
Attorney General of Hawaii

JAMES E. HALVORSON 5457
JEFFREY A. KEATING 6624
Deputy Attorneys General
Department of the Attorney General
State of Hawaii
235 S. Beretania Street, 15th Floor
Honolulu, Hawaii 96813
Telephone: 808-587-2900
Facsimile: 808-587-2965

Attorneys for Respondents-Appellees

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

In the Matter of

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO,

Complainant-Appellant,

and

AMADOR CASUPANG, Labor Relations Specialist, Department of Transportation, State of Hawaii; LISA DAU; Department of Transportation, State of Hawaii; RODNEY HARAGA, Director, Department of Transportation, State of Hawaii; and LINDA LINGLE, Governor, State of Hawaii (2004-006),

Respondents-Appellees,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, EMORY J. SPRINGER, and KATHLEEN RACUYA-MARKRICH,

Agency-Appellees
Appellees.

CIVIL NO. 05-1-1373 (SSM)
(Agency Appeal)

JUDGMENT

Oral Argument:

Date: January 23, 2006
Time: 11:00 a.m.
Judge: Sabrina S. McKenna

I do hereby certify that this is a full, true and correct copy of the original on file in this office.

Clerk, Circuit Court, First Circuit

JUDGMENT

Pursuant to the Order Affirming Hawaii Labor Relations Board Decision No. 453, Findings of Fact, Conclusions of Law and Order entered by the Court on February 13, 2006, Hawaii Rules of Civil Procedure Rule 72(k), and Jenkins v. Cades Schutte Fleming and Wright, 76 Haw. 115, 869 P.2d 1334 (1994), it is hereby ordered that Judgment is rendered in favor of Respondents-Appellees AMADOR CASUPANG, et al. and Agency-Appellees Appellees HAWAII LABOR RELATIONS BOARD, et al., and against Complaint-Appellant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO.

This Judgment is entered as to all claims raised by all parties, and it resolves all claims by and against all parties, in the above case. No claims or parties remain.

DATED: Honolulu, Hawaii, FEB 1 6 2006.

SABRINA S. MCKENNA

JUDGE OF THE ABOVE-ENTITLED COURT

MARK J. BENNETT 2672
Attorney General of Hawaii

JAMES E. HALVORSON 5457
JEFFREY A. KEATING 6624
Deputy Attorneys General
Department of the Attorney General
State of Hawaii
235 S. Beretania Street, 15th Floor
Honolulu, Hawaii 96813
Telephone: 808-587-2900
Facsimile: 808-587-2965

Attorneys for Respondents-Appellees

FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2006 FEB 21 AM 9:42

H. CHING
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

In the Matter of

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO,

Complainant-Appellant,

and

AMADOR CASUPANG, Labor Relations Specialist, Department of Transportation, State of Hawaii; LISA DAU; Department of Transportation, State of Hawaii; RODNEY HARAGA, Director, Department of Transportation, State of Hawaii; and LINDA LINGLE, Governor, State of Hawaii (2004-006),

Respondents-Appellees,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, EMORY J. SPRINGER, and KATHLEEN RACUYA-MARKRICH,

Agency-Appellees
Appellees.

CIVIL NO. 05-1-1373 (SSM)
(Agency Appeal)

NOTICE OF ENTRY OF JUDGMENT

Oral Argument:

Date: January 23, 2006
Time: 11:00 a.m.
Judge: Sabrina S. McKenna

NOTICE OF ENTRY OF JUDGMENT

Pursuant to the provisions of the Hawaii Rules of Civil Procedure Rule 77(d), NOTICE IS HEREBY GIVEN of the entry of Judgment, filed on FEB 21 2006, in the above-entitled case.

DATED: Honolulu, Hawaii, FEB 21 2006.

H. CHING

CLERK OF THE ABOVE-ENTITLED COURT

Copies mailed to:

Herbert R. Takahashi, Esq.
345 Queen Street, Rm. 506
Honolulu, Hawaii 96813

Attorney for Complainant-Appellant

Hawaii Labor Relations Board
Department of Labor & Industrial Relations
830 Punchbowl Street, Room 434
Honolulu, Hawaii 96813

Agency-Appellees Appellees