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Elizabeth A. Strance, Esq.
Francis L. Jung, Esq.
John D. Zalewski, Esq.
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2017 OCT 12 PM 2:39

T. KRATKE, CLERK
CIRCUIT COURT OF
THE THIRD CIRCUIT

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

SOUTH POINT INVESTMENT GROUP,)
LLC, A HAWAII LIMITED LIABILITY)
COMPANY,)

Plaintiff,)

vs.)

DISCOVERY HARBOUR)
COMMUNITY ASSOCIATION, a)
Hawaii nonprofit corporation,)

Defendants.)

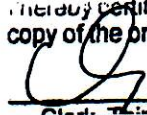
Civil No. 16-1-195

COURT ORDER DENYING *DEFENDANT*
DISCOVERY HARBOUR COMMUNITY
ASSOCIATION'S MOTION FOR SUMMARY
JUDGMENT, FILED ON AUGUST 3, 2017

Trial Date: Not Set
Judge: Harry P. Freitas

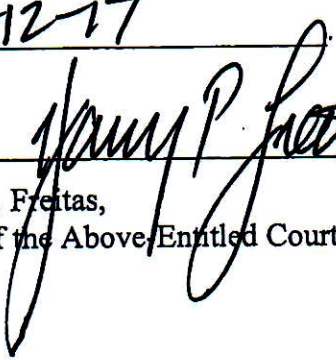
COURT ORDER DENYING DEFENDANT DISCOVERY HARBOUR COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT, FILED ON AUGUST 3, 2017

1. On August 3, 2017, Defendant Discovery Harbour Community Association filed its Motion for Summary Judgment ("Motion").
2. On September 26, 2017, Plaintiff/Counterclaim Defendant, South Point Investment Group, LLC filed its *Memorandum in Opposition to Defendant Discovery Harbour Community Association's Motion for Summary Judgment*.
3. On September 29, 2017, Defendant Discovery Harbour Community Association filed its *Reply in Support of Defendant's Motion for Summary Judgment*.
4. The Motion came for hearing on October 4, 2017, before the Honorable Harry P. Freitas.


T. Kratke, Clerk
Circuit Court of the Third Circuit

5. Elizabeth A. Strance, Esq. appeared on behalf of Plaintiff/ Counterclaim Defendant, South Point Investment Group, LLC, a Hawaii limited liability company. John D. Zalewski, Esq., Francis L. Jung, Esq. and Carol M. Jung, Esq. appeared on behalf of Defendant, Discovery Harbour Community Association. No other appearances were made.
6. After review of the Motion and pleadings submitted regarding the Motion, as well as hearing the arguments of counsel, the Court finds that there are genuine issues of material fact.
5. Therefore, Defendant's Motion is DENIED.

DATED: Hilo, Hawai'i, 10-12-17



Harry P. Freitas,
Judge of the Above Entitled Court

