

Dee Ann Wunschel
75-320 Omilo Place
Kailua-Kona, HI 96740
Telephone: (712) 210-0974
Facsimile: (650) 322-4677
Email: deewunschel@yahoo.com
In Pro Per

Electronically Filed
THIRD CIRCUIT
3CCV-21-0000188
20-OCT-2021
5:10 PM
Dkt 20160

IN THE CIRCUIT COURT OF THE THIRD DISTRICT
STATE OF HAWAII

PUALANI ESTATES AT KONA
COMMUNITY ASSOCIATION, a Hawaii
non-profit corporation,

Plaintiff,

v.

DEE ANN WUNSCHEL, an individual;
JOHN DOES 1-10, DOE
GOVERNMENTAL AGENCIES 1-10 and
DOE ENTITIES 1-10
and Does 1 to 10,

Defendants.

Case No. 3CCV-21-0000188

**(PROPOSED) ORDER FOR MEDIATION OR/
AND ARBITRATION PURSUANT TO
RCCM RULE 12.2 GRANTING IN
PART AND DENYING IN PART
DEFENDANT WUNSCHEL'S MOTION
TO COMPEL ARBITRATION AND FOR
JOINER FILED 09/09/21 WITHOUT
PREJUDICE.**

Assigned to: Hon. Wendy DeWeese
Action Filed: June 25, 2021
Trial Date: TBD

THE COURT, HAVING TREATED THE ABOVE-CAPTIONED MOTION
AS A NON-HEARING MOTION,

1. IT IS ORDERED, the Plaintiff, Pualani Estates at Kona Community Association, a
Hawaii non-profit corporation, have their complaint adjudicated through negotiation, mediation
and/or arbitration pursuant to Article ~~XCV~~ ^{RCCM 12.2 *} Section 24.2 (a) of the CC&R's of the Pualani Estates
at Kona Community Association;


2. The matter is STAYED until completion of arbitration or settlement through mediation
or otherwise, CONSISTENT WITH RCCM RULE 12.2(b)-(f)

3. The Court retains jurisdiction to confirm the arbitration award and enter judgement for
the purposes of enforcement or to enforce any settlement agreement.

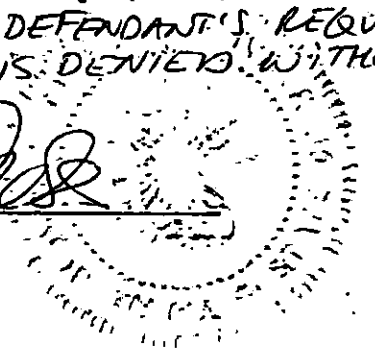
* THE COURT DOES NOT HAVE SUFFICIENT INFORMATION
BEFORE IT TO DETERMINE IF SECTION 24.2(A) OF THE
CC&RS APPLIES. 1

4. ~~The Court finds that Hawaiiana Management Company Ltd. shall be joined as a defendant in the above action and summons shall be served by plaintiff.~~ DEFENDANT'S REQUEST TO JOIN HAWAIIANA MANAGEMENT CO. IS DENIED WITHOUT PREJUDICE. **

Date: 10/20/21



Judge



5. THE HEARING IN THIS MATTER PREVIOUSLY SET FOR 10/29/21 AT 8:00 AM SHALL BE TAKEN OFF CALENDAR.

** MOTION FOR JOINER SHOULD BE PRESENTED BY SEPARATE MOTION SETTING FORTH SUFFICIENT FACTS AND LAW AND SHALL BE SERVED ON THE PARTY TO BE JOINED.