

**Electronically Filed
Supreme Court
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NO. SCPW-12-0000051

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

RAQUEL A. DELLOSA, TARCILA J. DELA CRUZ, ANNALYN S. LAZARO,
and IDA P. OANDASAN, Petitioners,

vs.

THE HONORABLE GARY W.B. CHANG, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I and
OTIS ELEVATOR COMPANY, Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 09-1-1907-08)

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

Upon consideration of petitioners Raquel A. Dellosa, Tarcila J. Dela Cruz, Annalyn S. Lazaro, and Ida P. Oandasan's petition for a writ of mandamus and the papers in support, it appears that: (1) the respondent judge's December 22, 2011 order compelling petitioners to submit to medical and psychological examinations is reviewable on appeal from a final judgment entered in Civil No. 09-1-1907-08 and (2) disallowing observation or recording of the examinations and disallowing discovery of the examiners' general income data are not extraordinary situations

warranting mandamus relief. Therefore, petitioners are not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. Such writs are not intended to supersede the legal discretionary authority of the trial courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.); Brende v. Hara, 113 Hawai'i 424, 429, 153 P.3d 1109, 1114 (2007) (Mandamus relief from discovery orders is "available for extraordinary situations.").

Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, February 28, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

