

# Exhibit 47 Hawaii Supreme Court,

## SIERRA CLUB v. HORTON SCHULER HOMES LLC

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### Supreme Court of Hawai'i.

**The SIERRA CLUB and Senator Clayton Hee,  
Petitioners/Appellants–Appellants, v. D.R. HORTON–SCHULER  
HOMES, LLC, a Delaware limited liability company, d.b.a. D.R.  
Horton–Schuler Division; the Land Use Commission of the State of  
Hawai'i; Office of Planning, State of Hawai'i; Department of Planning  
and Permitting, Respondents/Appellees–Appellees.**

**No. SCAP–13–0002266.**

**Decided: December 22, 2015**

RECKTENWALD, C.J., NAKAYAMA and McKENNA, JJ., and Circuit Judge CHANG, In Place of ACOBA, J., Recused; with POLLACK, J., Dissenting. Eric A. Seitz, Della A. Belatti, and Sarah R. Devine, for petitioners. Gregory W. Kugle, and Matthew T. Evans, for respondent D.R. Horton–Schuler Homes, LLC.

<https://caselaw.findlaw.com/hi-supreme-court/1721439.html>