

NO. 30736

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

CIVIL NO. 08-1-0977

ISLAND HELICOPTERS-KAUAI, INC., Plaintiff-Appellee,  
v.  
TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS  
REFINING, INC., a subsidiary of TESORO CORPORATION,  
Defendant-Appellant/Cross-Appellee,  
and  
DOE DEFENDANTS 1-100, Defendants

TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS  
REFINING, INC., a subsidiary of TESORO CORPORATION,  
Third-Party Plaintiff-Appellant/Cross-Appellee,  
v.  
STATE OF HAWAII, by and through its  
DEPARTMENT OF TRANSPORTATION,  
Third-Party Defendants-Appellees,  
and  
DOE DEFENDANTS 1-100, Defendants

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION,  
Fourth-Party Plaintiff-Appellee,  
v.  
TURBOMECA ENGINE CORP., TURBOMECA USA,  
Fourth-Party Defendant-Appellant/Cross-Appellee,  
and  
SAFRAN Group, SAFRAN USA, Inc.,  
Fourth-Party Defendants-Appellees,  
and  
DOES 1-100, Fourth-Party Defendants

and

CIVIL NO. 08-1-1038

CHARLES DIPIAZZA and DRAGONFLY DEFERRED  
TRUST dated 6 October 2006,  
Plaintiffs-Appellees,

v.

TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS  
REFINING, INC., a subsidiary of TESORO CORPORATION,  
Defendant-Appellant/Cross-Appellee,  
and  
DOE DEFENDANTS 1-100, Defendants

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TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS  
REFINING, INC., a subsidiary of TESORO CORPORATION,  
Third-Party Plaintiff-Appellant/Cross-Appellee,

v.

STATE OF HAWAII, by and through its  
DEPARTMENT OF TRANSPORTATION,  
Third-Party Defendant-Appellee,  
and  
DOE DEFENDANTS 1-100, Defendants

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STATE OF HAWAII,  
Fourth-Party Plaintiff-Appellee,  
v.  
TURBOMECA ENGINE CORP., TURBOMECA USA,  
Fourth-Party Defendant-Cross-Appellant,  
and  
SAFRAN Group, SAFRAN USA, Inc.,  
Fourth-Party Defendant-Appellee,  
and  
DOES 1-100, Fourth-Party Defendants

and

CIVIL NO. 08-1-2235

JACK HARTER HELICOPTERS, INC.,  
Plaintiff-Appellee,

v.

TESORO HAWAII CORPORATION, fka BHP PETROLEUM,  
Defendants-Appellant/Cross-Appellee,  
and  
DOE CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10;  
DOE NON-PROFIT ENTITIES 1-10; and DOE  
GOVERNMENTAL ENTITIES 1-10, Defendants

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TESORO HAWAII CORPORATION fka BHP PETROLEUM,  
Third-Party Plaintiff-Appellant/Cross-Appellee,  
v.

STATE OF HAWAII, by and through its  
DEPARTMENT OF TRANSPORTATION,  
Third-Party Defendant-Appellee,

—————  
STATE OF HAWAII,  
Fourth Party Plaintiff-Appellee,  
v.  
TURBOMECA S.A., TURBOMECA USA, INC.,  
Fourth-Party Defendant-Cross-Appellant,  
and  
SAFRAN Group, SAFRAN USA, INC.,  
Fourth-Party Defendant-Appellee,  
and  
DOES 1-100, Fourth-Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

ORDER APPROVING STIPULATION FOR PARTIAL DISMISSAL OF APPEAL  
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of the Stipulation for Partial Dismissal of Appeal filed by Cross-Appellants and Fourth Party Defendants Turbomeca S.A. and Turbomeca USA, Inc. (Cross-Appellant) and Defendant-Appellant and Third Party Plaintiff Tesoro Hawaii Corporation (Appellant), the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that:

1. The Stipulation for Partial Dismissal of Appeal is approved.
2. The cross-appeal is dismissed.
3. Appellant's appeal of the Order Granting a Petition for Determination of a Good Faith Settlement and Dismissing All Claims Against Fourth Party-Defendants/Cross-Appellants Turbomeca USA and Turbomeca USA, Inc. is dismissed.

4. Appellant's appeal of the Order Granting Petition for Approval of Good Faith Settlement By & Between Plaintiffs and Third-Party Defendants/Fourth Party Plaintiff-Appellee State of Hawai'i, Department of Transportation-Airport Division remains pending.

5. Cross-Appellant and Appellant shall bear their own attorneys' fees and costs related to the dismissed portions of the appeal and the cross-appeal.

DATED: Honolulu, Hawai'i, April 26, 2011.

Chief Judge

Associate Judge

Associate Judge