

**Electronically Filed
Intermediate Court of Appeals
CAAP-11-0000050
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NO. CAAP-11-0000050

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

KOSHIRO KITAZATO, Individually and as President of
SOCIETY TO PROTECT DIAMOND HAWAII, a Japan unincorporated
association; YOSHIKIMI KOMODA, Individually and as Vice-President
of SOCIETY TO PROTECT DIAMOND HAWAII, a Japan unincorporated
association; et al.; Plaintiffs-Appellants,

v.

BLACK DIAMOND HOSPITALITY INVESTMENTS, LLC, a Hawaii
limited liability company; DIAMOND SOCIETY COMPANY, LTD.,
a Japanese corporation; et al.; Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 08-1-0746(1))

ORDER GRANTING STIPULATION TO
PARTIALLY DISMISS THE APPEALS BETWEEN
PLAINTIFFS-APPELLANTS KOSHIRO KITAZATO, ET AL. AND
DEFENDANTS-APPELLEES DIAMOND RESORT HAWAII CORPORATION,
JANIC CORPORATION, AND DIAMOND RESORT MANAGEMENT, INC.
(By: Nakamura, C.J., Foley and Reifurth, JJ.)

Upon consideration of the Stipulation to Partially
Dismiss Appeal as it relates to Plaintiffs-Appellants and
Defendants-Appellees Diamond Resort Hawaii Corporation, Janic
Corporation, and Diamond Resort Management, Inc., the papers in
support, and the records and files herein, it appears that:

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

(1) Plaintiffs-Appellants and Defendants-Appellees Diamond Resort Hawaii Corporation, Janic Corporation, and Diamond Resort Management, Inc. have stipulated to dismiss Plaintiffs-Appellants' appeal as it relates to Defendants-Appellees Diamond Resort Hawaii Corporation, Janic Corporation, and Diamond Resort Management, Inc. with the parties to bear their own attorney's fees and costs; and (2) no other party filed an objection to this stipulation. Therefore,

IT IS HEREBY ORDERED that the stipulation to partially dismiss the appeal as it relates to Plaintiffs-Appellants and Defendants-Appellees Diamond Resort Hawaii Corporation, Janic Corporation, and Diamond Resort Management, Inc. is approved. The parties to the stipulation shall bear their own attorney's fees and costs.

DATED: Honolulu, Hawai'i, September 15, 2011.


Chief Judge


Associate Judge


Associate Judge