

NO. 30036

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ESTATE OF RONALD H. GOMES, deceased, by its Special
Administrator, PHYLLIS L. GOMES and PHYLLIS L. GOMES,
Individually, TYLERANN CARVALHO-GOMES, Plaintiffs-Appellants,

v.

TOMMY WAI HUNG MA, SINDY SIN YEE MA, HAWAIIAN ISLAND HOMES LTD.,
ASSOCIATION OF APARTMENT OWNERS OF QUEEN EMMA GARDENS,
SAVIO DEVELOPMENT CO., INC., Defendants-Appellees,

and

JOHN DOES 1-5, DOE CORPORATIONS 1-5, JOHN DOE
PARTNERSHIPS 1-5, ROE NON-PROFIT CORPORATIONS 1-5,
and ROE GOVERNMENTAL AGENCIES 1-5,
Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 07-1-1292)

ORDER (1) GRANTING MOTION TO DISMISS APPEAL AND
(2) DENYING APPELLEES TOMMY WAI HUNG MA AND
SINDY SIN YEE MA'S REQUEST FOR SANCTIONS
(Nakamura, C.J., Fujise and Ginoza, JJ.)

Upon consideration of the "Motion To Dismiss Appeal
Filed September 3, 2009" (Motion To Dismiss Appeal) filed on
January 31, 2012, by Defendant-Appellee Association of Apartment
Owners of Queen Emma Gardens (AOAO), the response and request for
sanctions filed by Defendants-Appellees Tommy Wai Hung Ma and
Sindy Sin Yee Ma (Ma Appellees), the Joinder in the Motion To
Dismiss Appeal filed by Plaintiffs-Appellants, and the record and
files in this case,

IT IS HEREBY ORDERED that:

(a) The Motion To Dismiss Appeal is granted and the remaining appeals by Appellants Phyllis L. Gomes, individually, and Tylerann Carvalho-Gomes are dismissed. By granting the Motion To Dismiss Appeal, this court makes no determination as to the validity or propriety of the releases between the parties. We grant the Motion To Dismiss Appeal because we are satisfied that the remaining parties who have appealed (Appellants Phyllis L. Gomes, individually, and Tylerann Carvalho-Gomes) wish to dismiss their appeals.

(b) The Ma Appellees' request for sanctions is denied.

(c) There being no further appeals in Appeal No. 30036, this case is dismissed.

DATED: Honolulu, Hawai'i, February 16, 2012.

Chief Judge

Associate Judge

Associate Judge