

NO. CAAP-13-0000400

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

ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI,
Claimant-Appellee,

v.

SUNSET HEIGHTS HAWAII, LLC,
Respondent-Appellee,

and

HAWAIIAN DREDGING CONSTRUCTION CO., INC.,
FIDELITY & DEPOSIT COMPANY OF MARYLAND
and ZURICH AMERICAN INSURANCE COMPANY,
Other Parties-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPECIAL PROCEEDING NO. 11-1-0139)

ORDER GRANTING THE OCTOBER 29, 2013 MOTION TO DISMISS APPEAL
(By: Foley, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of the motion to dismiss appeal
(Motion to Dismiss) filed on October 29, 2013, by Other Parties-
Appellants Hawaiian Dredging Construction Co., Inc., Fidelity &
Deposit Company of Maryland, and Zurich American Insurance
Company (Appellants), the papers in support, the records and
files herein, and noting no opposition,

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the Motion to Dismiss is granted, and the appeal is dismissed, with the parties to bear their own fees and costs.

DATED: Honolulu, Hawai'i, November 22, 2013.

Presiding Judge

Associate Judge

Associate Judge