

NO. CAAP-13-0001739

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

SUNSET HEIGHTS HAWAII, LLC, Plaintiff-Appellee,  
v.  
HAWAIIAN DREDGING CONSTRUCTION CO., INC., et al.,  
Defendants-Appellants,  
and  
ALCAL/ARCADE CONTRACTING, INC., et al.,  
Defendants/Third-Party Plaintiffs-Appellees,  
v.  
ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI, INC., et al.,  
Third-Party Defendants-Appellees,  
and  
WATTS RADIANT, INC.,  
Third-Party Plaintiff-Appellee,  
v.  
MURRAY CORPORATION, BOW PLASTICS, LTD., et al.,  
Third-Party Defendants-Appellees  
and  
BOW PLASTICS, LTD. AND BOW PLUMBING GROUP,  
Third-Party Plaintiffs-Appellees,  
v.  
ASIA UNION CO., LTD.,  
Third-Party Defendant-Appellees  
(CIVIL NO. 08-1-1350-07)

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NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA  
and CHARTIS SPECIALTY INSURANCE COMPANY,  
Plaintiffs-Appellees,  
v.  
SUNSET HEIGHTS HAWAII, LLC, et al.,  
Defendants-Appellees,  
and  
HAWAIIAN DREDGING CONSTRUCTION CO., INC.,  
Third-Party Plaintiff-Appellee,  
v.

MARSH USA, INC.,  
Third-Party Defendant-Appellee  
(CIVIL NO. 10-1-2184-10)

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

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 Defendants-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,

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