

NO. CAAP-13-0003959

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

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,
Plaintiff-Appellee,
v.
DAVID CURTIS HOPPMANN and WENDY PAMELA HOPPMANN,
Defendants-Appellants,
and
YUKIO ISHIKAWA and JANET ISHIKAWA, Defendants-Appellees,
and
JOHN and MARY DOES 1-10, Defendants
APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 10-1-1770-08)

ORDER GRANTING THE JANUARY 31, 2014
STIPULATED MOTION FOR VOLUNTARILY DISMISSAL
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon consideration of the "Stipulated Motion for Voluntary Dismissal" of the appeal (Motion) filed on January 31, 2014 by Defendants-Appellants David Curtis Hoppmann and Wendy Pamela Hoppmann, and the records and files herein, it appears that the Motion mistakenly references as its basis the "Federal

Rule of Appellate Procedure 42(b)" rather than the Hawai'i Rule of Appellate Procedure (HRAP) Rule 42(b); however the intent of the Motion to dismiss the appeal with the parties to bear their own appellate costs and fees is nevertheless clear, and the parties may move for reconsideration consistent with the time frame and parameters of HRAP Rule 40 if their intent is otherwise. Therefore,

IT IS HEREBY ORDERED that the Motion is granted, and the appeal is dismissed. The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, February 11, 2014.

Presiding Judge

Associated Judge

Associate Judge