

NO. 29091

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

JONI L. FREITAS, Plaintiff-Appellee,  
v.

HAWAII MEDICAL CENTER, LLC,  
a Hawaii limited liability company,  
and HAWAII MEDICAL CENTER EAST, LLC,  
a Hawaii limited liability company,  
Defendants-Appellants,

and

JOHN DOES 1-50, DOE CORPORATIONS 1-50,  
DOE PARTNERSHIPS 1-50, DOE ENTITIES 1-50, and  
DOE GOVERNMENTAL ENTITIES 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 07-1-0955)

ORDER DISMISSING THE APPEAL

(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of the September 14, 2015 Declaration of Christopher J. Muzzi, the September 14, 2015 Declaration of Erin L. S. Yamashiro, the September 15, 2015 Supplemental Declaration of Erin L. S. Yamashiro, and the September 18, 2015 Declaration of William N. Ota, each filed in response to the September 10, 2015 Order and Order to Show Cause, the December 2, 2015 Supplemental Declaration of Christopher J. Muzzi, and the December 7, 2015 Declaration of William N. Ota, each filed in response to the November 27, 2015 Order, the papers in support, and the record, it appears that:

(1) In 2008, Defendants-Appellants Hawaii Medical Center, LLC, and Hawaii Medical Center East, LLC (Appellants), filed for bankruptcy;

(2) Appellants' bankruptcy cases stayed this appeal, pursuant to 11 U.S.C. § 362(a)(1) and (3) (2006),<sup>1</sup> and Hawai'i Rules of Appellate Procedure Rule 54(c);

(3) On January 7, 2011, and August 28, 2012, the United States Bankruptcy Court for the District of Hawaii dismissed and closed Appellants' bankruptcy cases in In re CHA Hawaii, LLC, No. 08-01369, In re Hawaii Medical East, LLC, No. 08-01371, In re Hawaii Medical Center West, LLC, No. 08-01372, and In re Hawaii Medical Center, LLC, No. 08-01373;

(4) Appellants' counsel filed certified copies of the relevant dismissal orders on December 2, 2015; and

(5) The parties reached a settlement agreement while the bankruptcy stay was in effect, which appears to resolve all matters presented in appeal:

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, January 19, 2016.

Chief Judge

Associate Judge

Associate Judge

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<sup>1</sup> In 2010, technical corrections were made to 11 U.S.C. § 362 that do not affect this appeal. See Pub.L. 111-327, § 2(a)(12), 124 Stat. 3558 (2010).