

NO. 30432

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

KENNETH L. WALLACE, Trustee of the
Kenneth L. Wallace Living Trust dated June 20, 2001,
Plaintiff-Appellant,

v.

HARLOW BURROWS, LA BAHIA 1993, INC., a Hawaii Corporation,
SCOTT DEAN, ROBERT J. CELLA, CBIP, INC., dba COLDWELL BANKER
ISLAND PROPERTIES, JOHN DOES 1-20, AND JANE DOES 1-20,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(Civil No. 05-1-0141)

ORDER GRANTING PARTIAL DISMISSAL OF APPEAL
(By: Ginoza, J., for the court)¹

Upon consideration of the Stipulation for Partial
Dismissal of Appeal by and between Plaintiff-Appellant Kenneth L.
Wallace, Trustee of The Kenneth L. Wallace Living Trust Dated
June 20, 2001 (Appellant), and Defendants-Appellees Scott Dean,
Robert J. Cella, and CBIP, Inc., dba Coldwell Banker Island

¹ Considered by: Nakamura, C.J., Foley and Ginoza, JJ.

Properties, the papers in support and the records and files herein, it appears that: (1) Appellant and Defendants-Appellees Scott Dean, Robert J. Cella, and CBIP, Inc., dba Coldwell Banker Island Properties, have agreed to dismiss that portion of Appellant's appeal related to the above-mentioned defendants-appellees, with the stipulating parties to bear their own appellate costs related to this appeal; (2) Defendants-Appellees Harlow Burrows and La Bahia 1993, Inc. have filed no response or opposition to this stipulation. Therefore,

IT IS HEREBY ORDERED that the stipulation for partial dismissal of appeal is approved. Appellant's appeal with regard to Defendants-Appellees Scott Dean, Robert J. Cella, and CBIP, Inc., dba Coldwell Banker Island Properties, is dismissed and the stipulating parties will bear their own appellate costs. Appellant's appeal with regard to Defendants-Appellees Harlow Burrows and La Bahia 1993, Inc. remains pending.

DATED: Honolulu, Hawai'i, March 9, 2011.

FOR THE COURT:

Associate Judge