

NO. CAAP-16-0000525

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

KUKUIHAELE NEIGHBORHOOD ASSOCIATION, an
unincorporated nonprofit association; COLLEEN
LAWRENCE; KOOHAN PAIK; DAVID ALLEN; and
MIGUEL WHITE, Plaintiffs-Appellants, v.
DEPARTMENT OF PARKS AND RECREATION, COUNTY OF HAWAII;
CHARMAINE L. KAMAKA, in her official capacity as Director,
Department of Parks and Recreation, County of Hawaii;
and HARRY KIM, in his official capacity as
Mayor of Hawaii County, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 16-1-00132)

ORDER APPROVING THE FEBRUARY 13, 2017
"STIPULATION FOR DISMISSAL WITH PREJUDICE OF APPEAL"
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of the "Stipulation for Dismissal
With Prejudice of Appeal," filed February 13, 2017, by
Defendants-Appellees Department of Parks and Recreation, County
of Hawai'i, Charmaine L. Kamaka, and Harry Kim,¹ it appears that
(1) the appeal was docketed on September 16, 2016; (2) pursuant
to HRAP Rule 42(b), the parties stipulate to dismiss the appeal
with prejudice and bear their own costs and attorneys' fees on

¹ Pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule
43(c), the current Mayor of Hawaii County, and the Director of the Department
of Parks and Recreation are automatically substituted into this appeal.

appeal; and (3) the stipulation is dated and signed by all parties appearing pro se and counsel for all represented parties appearing in the appeal.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved, and the appeal is dismissed with prejudice. The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, February 16, 2017.

Presiding Judge

Associate Judge

Associate Judge