

**Electronically Filed
Intermediate Court of Appeals
CAAP-17-0000597
23-JAN-2018
10:23 AM**

NO. CAAP-17-0000597

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DENNIS R. SCIOTTO AND CAROL ANN SCIOTTO
as TRUSTEES OF THE DENNIS R. SCIOTTO AND CAROL ANN SCIOTTO
COMMUNITY PROPERTY TRUST, EDWARD E. COLSON, III and
KAREN JEANNE COLSON as TRUSTEES OF THE COLSON FAMILY TRUST,
and HBR ENTERPRISES, LLC dba BALI HAI RESTAURANT
AND HAPPY TALK LOUNGE, Claimants-Appellants,

v.

ASSOCIATION OF APARTMENT OWNERS OF HANAIEI BAY RESORT;
MICHAEL REMBIS; BRAD SCHULTZ; KENT OEHM; GEOFF KING;
DAVID BLANK; JOAN BETTENCOURT; FRITZ LEUTHEUSER;
DEBRA FRAGADECCKER and MICHAEL LYNCH, Respondents-Appellees,
and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; DOE ENTITIES 1-10;
DOE LIMITED LIABILITY COMPANIES 1-10; DOE DOMESTIC
NONPROFIT CORPORATIONS 1-10; and DOE GOVERNMENTAL ENTITIES,
Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(S.P. No. 17-1-0004)

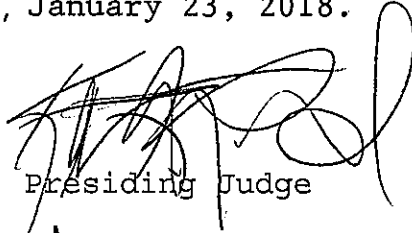
ORDER APPROVING THE JANUARY 5, 2018
STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal with Prejudice filed by Respondents-Appellees Association of Apartment Owners of Hanalei Bay Resort, Michael Rembis, Brad Schultz, Kent Oehm, Geoff King, David Blank, Joan Bettencourt, Fritz Leutheuser, Debra Fragadecker and Michael Lynch, on January 5, 2018, and the record,

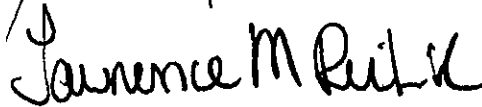
NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the stipulation for dismissal is approved, and the appeal in Case No. CAAP-17-0000597 is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b). The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, January 23, 2018.



Presiding Judge



Associate Judge



Associate Judge