

NO. CAAP-17-0000597

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

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**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**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