

NO. CAAP-14-0001295

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC.,
a Delaware corporation, Lienor-Appellant,

v.

AMERICAN ELECTRIC CO. LLC, a Hawaii limited liability
company, HAWAIIAN DREDGING CONSTRUCTION CO., INC., a
Hawaii corporation, HU HONUA BIOENERGY, LLC, a Delaware
limited liability company, MAUKALOA FARMS, LLC, a
Hawaii limited liability company,
Respondents-Appellees,

and

DOE PERSONS and ENTITIES 1-100, Respondents

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(M.L. NO. 14-1-0010)

ORDER APPROVING THE DECEMBER 1, 2015
STIPULATION FOR DISMISSAL WITH PREJUDICE
OF HAWAIIAN DREDGING APPEAL IN CAAP-14-0001378
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation and Order for
Dismissal With Prejudice of Hawaiian Dredging Appeal, filed
December 1, 2015, by Respondent-Appellee Maukaloa Farms, LLC
(Maukaloa Farms), the papers in support, and the record, it
appears that:

(1) Maukaloa Farms is the only appellee appearing in this consolidated appeal;

(2) On June 24, 2015, the court consolidated Lienor-Appellant T Bailey, Inc.'s (T Bailey) appeal in CAAP-14-0001294, Lienor-Appellant Consolidated Electrical Distributors, Inc.'s (Consolidated Electrical) appeal in CAAP-14-0001295, and Lienor-Appellant Hawaiian Dredging Construction Company, Inc.'s (Hawaiian Dredging) appeal in CAAP-14-0001378, with CAAP-14-0001295 being the lead case;

(3) Hawaiian Dredging's original appeal in CAAP-14-0001378 was docketed February 5, 2015;

(4) Maukaloa Farms and Hawaiian Dredging stipulate to dismiss Hawaiian Dredging's appeal with prejudice, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b); and

(5) The stipulation is dated and signed by counsel for Maukaloa Farms and Hawaiian Dredging, Maukaloa Farms and Hawaiian Dredging agree to bear their own costs and attorneys' fees, and the stipulation does not affect T Bailey's and Consolidated Electrical's appeals in this consolidated appeal.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss Hawaiian Dredging's appeal in CAAP-14-0001378 is approved and the appeal is dismissed with prejudice. Hawaiian Dredging and Maukaloa Farms shall bear their own costs and attorneys' fees.

DATED: Honolulu, Hawai'i, December 10, 2015.

Chief Judge

Associate Judge

Associate Judge