

NO. 29919

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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ALBERTA S. DEJETLEY; JOHN R. DELA CRUZ;  
DEBORAH YOOKO DELA CRUZ; LAURIE ANN DELIMA;  
ROY Y.H. DELIMA; MICHAEL "PHOENIX" DUPREE;  
GAREK PAUL ELIGADO; SHEILA A. ELIGADO; LAWRENCE G. ENDRINA;  
DARLENE JANICE ENDRINA; REYNOLD MASAJI GIMA;  
BRUCE HARVEY; JENNIFER PHILOMENA LICHTER; RON MCOMBER;  
PHYLLIS S. MCOMBER; SHERRI MORA; JOHN W. ORNELLAS;  
GAIL REINER FRENCH; NEAL S. TAMASHIRO;  
TOM URPANIL JR.; and BEVERLY ZIGMOND,  
Petitioners/Plaintiffs-Appellants,

vs.

SOLOMON P. KAHO'OHALAHALA,  
Respondent/Defendant-Appellee.

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APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CIV. NO. 08-1-0678)

ORDER DISMISSING LAWRENCE G. ENDRINA  
AND DARLENE JANICE ENDRINA  
(By: Acoba, J. for the court<sup>1</sup>)

Upon consideration of the Stipulation to Dismiss Lawrence G. Endrina and Darlene Janice Endrina as Petitioners-Plaintiffs-Appellants and the record herein, it appears that, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b), this court may dismiss a case, *inter alia*, "[i]f the parties to a docketed appeal . . . sign and file a stipulation for dismissal, . . . but no mandate or other process shall issue[.]" Therefore,

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<sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.

IT IS HEREBY ORDERED that pursuant to HRAP Rule 42(b), Lawrence G. Endrina and Darlene Janice Endrina are dismissed as Petitioners-Plaintiffs-Appellants herein, with each party to bear its own costs, attorneys' fees and litigation expenses.

DATED: Honolulu, Hawai'i, April 6, 2010.

FOR THE COURT:

Associate Justice

Kenneth R. Kupchak,  
Robert H. Thomas, and  
Elizabeth L. Burroughs  
for Petitioners-Plaintiffs-  
Appellants.

Philip H. Lowenthal and  
Benjamin E. Lowenthal for  
Respondent-Defendant-  
Appellee.