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Intermediate Court of Appeals
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NOS. 29437 and 30651

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

CIVIL NO. 04-1-2126

VESTIN MORTGAGE, INC., a Nevada corporation;
VESTIN REALTY MORTGAGE I, INC., a Maryland corporation;
VESTIN REALTY MORTGAGE II, INC., a Maryland corporation;
OWENS MORTGAGE INVESTMENT FUND, a California limited
partnership; BRIDGE CAPITAL, INC., a Nevada corporation;
and SUNSET FINANCIAL RESOURCES, INC., a Maryland corporation,
Plaintiffs-Appellees,

v.

ALTERNATIVE DEBT PORTFOLIOS L.P., a
Delaware limited partnership; ALTERNATIVE DEBT
PORTFOLIOS, LLC, a Nevada limited liability company,
Defendants-Appellants,

and

JOHN DOOLEY; KATHY HOOVER; RICHARD BRICKA,
Defendants-Appellees,

and

RIGHTSTAR AMG, LLC, a Hawai'i limited liability company;
RIGHTSTAR HAWAII MANAGEMENT, INC., a Hawaii corporation;
RIGHTSTAR INTERNATIONAL, INC., a Nevada corporation;
RIGHTSTAR VOT, LLC, a Hawaii limited liability company;
RIGHTSTAR HMP, LLC, a Hawaii limited liability company;
RIGHTSTAR WINDWARD, LLC, a Hawaii limited liability company;
RIGHTSTAR NMI, LLC, a Hawaii limited liability company;
RIGHTSTAR AAI, LLC, a Hawaii limited liability company;
RIGHTSTAR MAUI MEMORIAL, LLC, a Hawaii limited liability
company; RIGHTSTAR MAUI FUNERAL, LLC, a Hawaii limited
liability company; RIGHTSTAR 50TH STATE, LLC, a
Hawaii limited liability company; RIGHTSTAR CPF, LLC,
a Hawaii limited liability company; RIGHTSTAR NUUANU
MORTUARY, LLC, a Hawaii limited liability company;

RS HAWAII PARTNERS, a Hawaii general partnership;
RIGHTSTAR HAWAII HOLDINGS, LLC, a Hawaii limited
liability company; THE MORTGAGE GROUP, INC., a Hawaii
corporation; SUNRA INTERNATIONAL HOLDING CORPORATION,
a Turks and Caicos Islands corporation; SUNRA
WORLD CORPORATION, a Japanese corporation;
UNIVERSAL DATA SERVICES, LLC, a Delaware limited
liability company; COLD SPRING GRANITE COMPANY,
a Minnesota corporation; JOHN DOES 1-50;
JANE DOES 1-50; DOE PARTNERSHIPS 1-50; DOE
CORPORATIONS 2-50; DOE ASSOCIATIONS 1-50; DOE
GOVERNMENTAL UNITS 1-50; and DOE ENTITIES 2-50,
Defendants,
and
STATE OF HAWAII, Intervenor-Appellee,
and
INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142
and the fourteen bargaining unit employees of Valley
of the Temples Memorial Park, BONAFACIO AGAPAY,
FRANCIS AGUSTIN, PRUDENCIO BAUTISTA, GABRIEL BUMANGLAG,
JIMMY DELOS SANTOS, TOMAS ESTALILLA, GREG FAGARAGAN,
TROYSEN GARCIA, VANN KAMAKAALA, GOLDWIN NASTOR, EUGENIO
PAGDILAO, NARCE PAGDILAO, JOSE SARMIENTO, and PEDRO SARMIENTO,
Intervenors

CIVIL NO. 05-1-0712

INVESTORS FUNDING CORPORATION, a Hawai'i corporation,
Plaintiff,

v.

HOTELS IN PARADISE, INC.; SIMON BEBB; RIGHTSTAR
INTERNATIONAL INCORPORATED; RIGHTSTAR HAWAII HOLDINGS,
LLC; RIGHTSTAR MAUI MEMORIAL, LLC; RIGHTSTAR HAWAII
MANAGEMENT, INC.; JOHN DOOLEY; GUIDO GIACOMETTI, as Court-
Appointed Receiver; WAGNER CHOI & EVERS; JOHN DOES 1-10;
JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10;
DOE ENTITIES 1-10; and DOE GOVERNMENTAL UNITS 1-10,
Defendants

CIVIL NO. 06-1-0392

VESTIN MORTGAGE, INC., a Nevada corporation,
Plaintiff,

v.

INVESTORS FUNDING CORPORATION; JOHN DOES 1-10;
JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE
CORPORATIONS 1-10; DOE ASSOCIATIONS 1-10; DOE
GOVERNMENTAL UNITS 1-10; and DOE ENTITIES 1-10;
Defendants,

and
INVESTORS FUNDING CORPORATION, a Nevada corporation,
Counterclaimant,

v.

VESTIN MORTGAGE, INC.,
Counterclaim Defendant,

and

INVESTORS FUNDING CORPORATION,
Third-Party Plaintiff,

v.

GUIDO GIACOMETTI, IN HIS CAPACITY AS
RECEIVER and STATE OF HAWAII,
Third-Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

ORDER APPROVING STIPULATION FOR COMPLETE DISMISSAL WITH
PREJUDICE AS TO ALL CLAIMS BETWEEN APPELLANTS AND APPELLEES

(By: Foley, J., for the court¹)

Pursuant to the "Stipulation for Complete Dismissal with Prejudice as to All Claims Between Appellants and Appellees" filed on November 30, 2011 in appeal Nos. 29437 and 30651, within which the parties agree that each party shall bear its own attorneys' fees and costs, and the records and files herein,

IT IS HEREBY ORDERED that the Stipulation for Dismissal is approved, appeal Nos. 29437 and 30651 are dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b),² and each party shall bear its own appellate attorney's fees and costs.

DATED: Honolulu, Hawai'i, December 5, 2011.


Associate Judge

¹ Considered by Nakamura, C.J., Foley and Fujise, JJ.

² In the November 30, 2011 stipulation, the parties cite to "Rule 41(a)(1)(B)" -- this is the Hawai'i Rules of Civil Procedure rule for stipulating to dismiss a case.