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Intermediate Court of Appeals  
CAAP-11-0000050  
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NO. CAAP-11-0000050

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

KOSHIRO KITAZATO, Individually and as President of  
SOCIETY TO PROTECT DIAMOND HAWAII, a Japan unincorporated  
association; YOSHIKIMI KOMODA, Individually and as Vice-President  
of SOCIETY TO PROTECT DIAMOND HAWAII, a Japan unincorporated  
association; et al.; Plaintiffs-Appellants,

v.

BLACK DIAMOND HOSPITALITY INVESTMENTS, LLC, a Hawaii  
limited liability company; DIAMOND SOCIETY COMPANY, LTD.,  
a Japanese corporation; et al.; Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CIVIL NO. 08-1-0746(1))

ORDER GRANTING STIPULATION TO  
PARTIALLY DISMISS THE APPEALS BETWEEN  
PLAINTIFFS-APPELLANTS KOSHIRO KITAZATO, ET AL. AND  
DEFENDANTS-APPELLEES JOE G. LEONI AND JOSEPH M. TOY  
(By: Nakamura, C.J., Foley and Reifurth, JJ.)

Upon consideration of the Stipulation to Partially  
Dismiss Appeal as it relates to Plaintiffs-Appellants and  
Defendants-Appellees Joe G. Leoni and Joseph M. Toy, the papers  
in support, and the records and files herein, it appears that:

(1) Plaintiffs-Appellants and Defendants-Appellees Joe G. Leoni

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and Joseph M. Toy are stipulating to dismiss Plaintiffs-Appellants' appeal as it relates to Defendants-Appellees Joe G. Leoni and Joseph M. Toy with the parties to bear their own attorney's fees and costs; and (2) no other party filed an objection to this stipulation. Therefore,

IT IS HEREBY ORDERED that the stipulation to partially dismiss the appeal as it relates to Plaintiffs-Appellants and Defendants-Appellees Joe G. Leoni and Joseph M. Toy is approved. The parties to the stipulation shall bear their own attorney's fees and costs.

DATED: Honolulu, Hawai'i, September 15, 2011.

*Craig A. Nakamura*

Chief Judge

*Daniel R. Foley*

Associate Judge

*Jawanna M. Reiffel*

Associate Judge