

NO. CAAP-13-0000807

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

In the Matter of the Application of WAIANAE COMPANY,  
Land Court Application No. 1102

APPEAL FROM THE LAND COURT OF THE STATE OF HAWAI'I  
(1 L.D. CASE NO. 12-1-4456)

ORDER APPROVING THE AUGUST 09, 2013 STIPULATION FOR DISMISSAL  
WITH PREJUDICE OF APPEAL

(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation for Dismissal With Prejudice of Appeal, filed August 9, 2013, by Petitioner-Appellant Alan James Challe, and the record, it appears that (1) the parties seek to dismiss the appeal, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b); (2) the stipulation is signed by all parties or their counsel; and (3) the parties agree to bear their own costs and fees on appeal. Therefore,

**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**

IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed. The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawaii, August 20, 2013.

Chief Judge

Associate Judge

Associate Judge