

**Electronically Filed
Intermediate Court of Appeals
CAAP-13-0000139
06-JUN-2013
09:29 AM**

NO. CAAP-13-0000139

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ERNEST VERDUGO, JR., Plaintiff-Appellee, v.
BUBBA GUMP SHRIMP CO., RESTAURANTS, INC., Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 06-1-1747-10)

ORDER APPROVING THE MAY 24, 2013
STIPULATION FOR DISMISSAL OF APPEAL
(By: Nakamura, C.J., Foley and Reifurth, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal without Prejudice" filed on May 24, 2013 by Defendant-Appellant Bubba Gump Shrimp Co. Restaurants, Inc. (Bubba Gump), the papers in support, and the records and files herein, it appears that (1) Bubba Gump and Plaintiff-Appellee Ernesto Verdugo, Jr. (Verdugo) stipulate to dismiss Appeal No. CAAP-13-0000139; (2) the attorneys representing Bubba Gump and Verdugo have signed the stipulation; (3) the stipulation "specif[ies] the terms as to payment of costs," Hawai'i Rules of Appellate

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Procedure (HRAP) Rule 42(b); (4) no fees are due; and (5) HRAP Rule 42(b) provides, "If the parties to a docketed appeal or other proceeding sign and file a stipulation for dismissal, specifying the terms as to payment of costs, and pay whatever fees are due, the case shall be dismissed upon approval by the appellate court."

Therefore, IT IS HEREBY ORDERED that Appeal No. CAAP-13-0000139 is dismissed.

DATED: Honolulu, Hawai'i, June 6, 2013.



Chief Judge



Associate Judge



Associate Judge