

Electronically Filed
Intermediate Court of Appeals
CAAP-11-0000630
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NOS. CAAP-11-0000630 and CAAP-11-0000631

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

NO. CAAP-11-0000630

SUNSET HEIGHTS HAWAII, LLC, Plaintiff-Appellee,
v.
ALL POOL & SPA, INC., CAULKING HAWAII, INC., et al.,
Defendants-Appellants,
and
HAWAIIAN DREDGING CONSTRUCTION CO., INC.,
FIDELITY & DEPOSIT COMPANY OF MARYLAND, Defendants-Appellees,
and
JOHN DOES 1-20, DOE BUSINESS ENTITIES 1-20, and
DOE GOVERNMENTAL ENTITIES 1-20, Defendants

ALCAL/ARCADE CONTRACTING, INC., ALL POOL & SPA, INC., et al.,
Defendants/Third-Party Plaintiffs-Appellants,
and
D.Y. MIKAMI CONSTRUCTION, INC.,
Defendant/Third-Party Plaintiff-Appellee,
v.
ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI,
WATTS WATER TECHNOLOGIES, INC., et al.,
Third-Party Defendants-Appellees,
and
DOE DEFENDANTS 1-50, Third-Party Defendants

WATTS RADIANT, INC., Cross-Claimant Appellee,
v.
DORVIN LEIS, INC., Cross-Defendant Appellant,
and
SUNSET HEIGHTS HAWAII, LLC, THE DURRANT GROUP, INC., et al.,
Cross-Defendants Appellees,
and
JOHN AND JANE DOES 1-10, DOE CORPORATIONS 1-10, et al.,
Cross-Defendants

WATTS RADIANT, INC., Third-Party Plaintiff-Appellee,
v.
MURRAY CORPORATION, BOW PLASTICS LTD., BOW PLUMBING GROUP,
Third-Party Defendants-Appellees,
and
JOHN AND JANE DOES 1-10, DOE CORPORATIONS 1-10, et al.,
Third-Party Defendants

NO. CAAP-11-0000631

SUNSET HEIGHTS HAWAII, LLC, Plaintiff-Appellee,
v.
HAWAIIAN DREDGING CONSTRUCTION CO., INC., et al.,
Defendants-Appellants,
and
ALL POOL & SPA, INC., CAULKING HAWAII, INC.,
DORVIN LEIS, INC., et al., Defendants-Appellees,
and
JOHN DOES 1-20, DOE BUSINESS ENTITIES 1-20, and
DOE GOVERNMENTAL ENTITIES 1-20, Defendants

ALCAL/ARCADE CONTRACTING INC., ALL POOL & SPA, INC., et al.,
Defendants/Third-Party Plaintiffs-Appellees,
v.
ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI,
WATTS WATER TECHNOLOGIES, INC., et al.,
Third-Party Defendants-Appellees,
and
DOE DEFENDANTS 1-50, Third-Party Defendants

WATTS RADIANT, INC., Cross-Claimant Appellee,
v.
HAWAIIAN DREDGING CONSTRUCTION CO., INC.,
Cross-Defendant Appellant,
and
SUNSET HEIGHTS HAWAII, LLC, DORVIN LEIS, INC., et al.,
Cross-Defendants Appellees,
and
JOHN AND JANE DOES 1-10, DOE CORPORATIONS 1-10, et al.,
Cross-Defendants

WATTS RADIANT, INC., Third-Party Plaintiff-Appellee,
v.
MURRAY CORPORATION, BOW PLASTICS LTD., et al.,
Third-Party Defendants-Appellees,
and
JOHN AND JANE DOES 1-10, DOE CORPORATIONS 1-10, et al.,
Third-Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-1350)

ORDER GRANTING MOTION FOR DISMISSAL
WITH PREJUDICE OF THE APPEAL
(By: Foley, Presiding J., Leonard and Ginoza, JJ.)

Upon consideration of "Defendants-Appellants Hawaiian Dredging Construction Company Inc., Fidelity & Deposit Company of Maryland And Zurich American Insurance Company's Motion For Dismissal With Prejudice Of The Appeal" (Motion) filed October 29, 2013, the papers in support, the records and files herein, and no objection having been filed, it appears that all parties to the underlying litigation have finalized and executed a global settlement agreement providing that, among other things, a dismissal of the claims in the underlying civil action would be forthcoming.

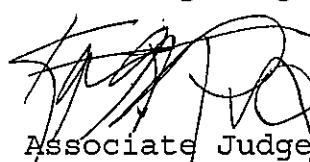
It further appears that a "Stipulation And Order For Dismissal Of All Remaining Claims And Parties" was filed October 25, 2013 in the underlying civil action in the Circuit Court of the First Circuit.

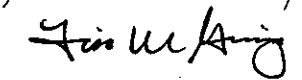
Therefore, IT IS HEREBY ORDERED that the Motion is granted and this appeal is dismissed with prejudice.

DATED: Honolulu, Hawai'i, November 14, 2013.

Keith K. Hiraoka
Shannon L. Wack
Jodie D. Roeca
(Roeca Luria Hiraoka)
for Defendants-Appellants
on the motion.


Presiding Judge


Associate Judge


Associate Judge