

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-13-0000400  
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NO. CAAP-13-0000400

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI,  
Claimant-Appellee,  
v.  
SUNSET HEIGHTS HAWAII, LLC,  
Respondent-Appellee,  
and  
HAWAIIAN DREDGING CONSTRUCTION CO., INC.,  
FIDELITY & DEPOSIT COMPANY OF MARYLAND  
and ZURICH AMERICAN INSURANCE COMPANY,  
Other Parties-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(SPECIAL PROCEEDING NO. 11-1-0139)

ORDER GRANTING THE OCTOBER 29, 2013 MOTION TO DISMISS APPEAL  
(By: Foley, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of the motion to dismiss appeal  
(Motion to Dismiss) filed on October 29, 2013, by Other Parties-  
Appellants Hawaiian Dredging Construction Co., Inc., Fidelity &  
Deposit Company of Maryland, and Zurich American Insurance  
Company (Appellants), the papers in support, the records and  
files herein, and noting no opposition,

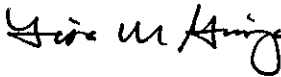
NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the Motion to Dismiss is granted, and the appeal is dismissed, with the parties to bear their own fees and costs.

DATED: Honolulu, Hawai'i, November 22, 2013.

  
Presiding Judge

  
Associate Judge

  
Associate Judge