

**Electronically Filed
Intermediate Court of Appeals
CAAP-13-0001759
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NO. CAAP-13-0001759

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

SUNSET HEIGHTS HAWAII, LLC, Plaintiff-Appellee,
v.
HAWAIIAN DREDGING CONSTRUCTION CO., INC., et al.,
Defendants-Appellees,
and
ALCAL/ARCADE CONTRACTING, INC., et al.,
Defendants/Third-Party Plaintiffs-Appellants,
v.
ASSOCIATION OF APARTMENT OWNERS OF KO'OLANI, INC., et al.,
Third-Party Defendants-Appellees
(CIVIL NO. 08-1-1350-07)

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA
and CHARTIS SPECIALTY INSURANCE COMPANY, Plaintiffs-Appellees,
v.
SUNSET HEIGHTS HAWAII, LLC, et al.,
Defendants-Appellees
(CIVIL NO. 10-1-2184-10)

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

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 Defendants-
Appellants Alcal/Arcade Contracting, Inc., All Pool & Spa, Inc.,

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

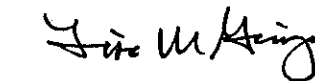
Associated Steel Workers, Ltd., Bruce Matson Company, Inc.,
Caulking Hawaii, Inc., Commercial Sheetmetal Co., Inc., Dorvin
Leis, Inc., Group Builders, Inc., Island Flooring Company, Inc.,
Jayco Hawaii, Inc., Kalu Glass Company, Inc., Permasteelisa North
America Corp., Specialty Surfacing Company, Hawaii, Inc., Swanson
Steel Company, Inc., Takano Nakamura Landscaping, Inc., Wasa
Electrical Services, Inc., WE Painting, Inc., and Wichert Tile,
Ltd., (Defendants-Appellants), the papers in support, the records
and files herein, and noting no opposition,

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.


Daniel R. Foley
Presiding Judge


Lawrence M. Bishop
Associate Judge


Eric M. King
Associate Judge