

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-12-0000821  
17-SEP-2013  
09:08 AM**

NO. CAAP-12-0000821

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ERNEST CALLO and ANNETTE CALLO, Individually  
and on behalf of the Estate of DENISE CALLO, deceased,  
and SALLY RUIZ, As Next Friend of TR a minor,  
Plaintiffs-Appellees,

v.

STATE OF HAWAII, JOHN DOES 1-5,  
JOHN DOE CORPORATIONS 1-5, JOHN DOE PARTNERSHIPS 1-5,  
ROE NON-PROFIT CORPORATIONS 1-5, and  
ROE GOVERNMENTAL AGENCIES 1-5, Defendants-Appellants

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KAREN R. DOUGHER and ROBERT MAKEKAU, Individually  
and on behalf of the Estate of JAMES MAKEKAU, Deceased,  
Plaintiffs-Appellees,

v.

STATE OF HAWAII, ANNETTE CALLO and  
ERNEST CALLO, as the Special Administrators of the  
Estate of DENISE CALLO, deceased, DOE DEFENDANTS 1-10,  
Defendants-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CIVIL NOS. 05-1-0219(3) and 05-1-0425(1))

ORDER APPROVING THE AUGUST 29, 2013  
STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE  
(By: Nakamura, C.J., Leonard and Reifurth, JJ.)

Upon consideration of the Stipulation of Dismissal of  
Appeal With Prejudice, filed August 29, 2013, by Defendant-  
Appellant State of Hawaii, the papers in support, and the

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

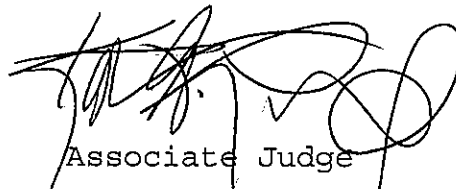
record, it appears that (1) the stipulation is dated and signed counsel for all parties; (2) the parties seek dismissal of the appeal with prejudice, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b); and (3) the parties agree to bear their own costs and fees on appeal.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs.

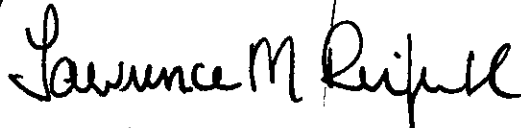
DATED: Honolulu, Hawai'i, September 17, 2013.



Chief Judge



Associate Judge



Associate Judge