

NO. CAAP-12-0000821

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

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 HAWAI'I, 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

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

v.

STATE OF HAWAI'I, 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 Hawai'i, the papers in support, and the

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