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Intermediate Court of Appeals
CAAP-14-0000869
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NO. CAAP-14-0000869

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

JOSEPH ALBERT SPIELMAN and ELLEN ROSE SPIELMAN,
Plaintiffs-Appellants,

v.

WELLS FARGO BANK, N.A., as Trustee
for the Carrington Mortgage Loan Trust, Series 2006-FRE2
Asset-Backed Pass-Through Certificates; and MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., Defendants-Appellees,
and

JOHN DOES 1-50; and JANE DOES 1-50

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 11-1-2913-11)

ORDER APPROVING THE DECEMBER 10, 2014

STIPULATION FOR DISMISSAL OF APPEAL

(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal" (**Stipulation**), filed by Plaintiffs-Appellants Joseph Albert Spielman and Ellen Rose Spielman (**Appellants**), on December 10, 2014, and the record, it appears that (1) Appellants and Defendants-Appellees Wells Fargo Bank, N.A., as Trustee for the Carrington Mortgage Loan Trust, Series 2006 FRE2 Asset-Backed Pass-Through Certificates; Mortgage Electronic Registration Systems, Inc. stipulate to dismiss Appeal No. CAAP-14-0000869;

(2) the attorneys for the parties have signed the Stipulation; (3) the Stipulation provides that "[e]ach party is responsible for its own fees and costs"; (4) no payment for court filing fees is due; and (5) Hawai'i Rules of Appellate Procedure Rule 42(b) provides, "If the parties to a docketed appeal . . . sign and file a stipulation for dismissal, specifying the terms as to payment of costs, and pay whatever fees are due, the case shall be dismissed upon approval by the appellate court[.]"

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and that Appeal No. CAAP-14-0000869 is dismissed. Each party shall bear its own fees and costs.

DATED: Honolulu, Hawai'i, December 23, 2014.


Chief Judge


Associate Judge


Associate Judge