

NO. 30122

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

PEARL CITY BUSINESS PLAZA ASSOCIATES, Plaintiff-Appellee,
v.
ANN & SUN, INC., Defendant-Appellee,
and
HUI YONG YU, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL 08-1-0317)

ORDER APPROVING THE OCTOBER 28, 2015
STIPULATION FOR DISMISSAL WITH PREJUDICE
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation for Dismissal With Prejudice, filed October 28, 2015, by Defendant-Appellant Hui Yong Yu (Appellant), the papers in support, and the record, it appears that (1) the stipulation is dated and signed by counsel for all parties appearing in the appeal; (2) the parties seek to dismiss the appeal with prejudice, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(a); (3) because the appeal was docketed on December 15, 2009, dismissal is authorized by HRAP Rule 42(b); and (4) the parties agree to bear their own attorneys' fees and costs.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

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, December 7, 2015.

Chief Judge

Associate Judge

Associate Judge