

NO. CAAP-15-0000158

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

DEBRA GOTTMAN, as Personal Representative
of the ESTATE OF SUSAN BACALSO, Deceased, and
DEBRA GOTTMAN, as next friend of BAILEY YANAGIHARA, a minor,
Plaintiffs-Appellees,

v.

FOODLAND SUPERMARKET LIMITED,
Defendant-Appellant,
and

GENERAL ELECTRIC COMPANY, VIACOM, INC., et al.,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-1271-06)

ORDER GRANTING THE OCTOBER 28, 2015

MOTION FOR VOLUNTARY DISMISSAL OF APPEAL

(By: Foley, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of Defendant-Appellant Foodland Super Market, Limited's (Appellant) October 28, 2015 Motion for Voluntary Dismissal of Appeal (Motion), the papers in support, the record, and there being no opposition, it appears that (1) Appellant seeks to dismiss this appeal, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b), because the

parties have reached a settlement; (2) the parties agree to bear their own attorneys' fees and costs; (3) the appeal has not been docketed; and (4) dismissal is authorized by HRAP Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the Motion is granted and the appeal is dismissed. The parties shall bear their own attorneys' fees and costs

DATED: Honolulu, Hawai'i, November 24, 2015.

Presiding Judge

Associate Judge

Associate Judge