

**Electronically Filed
Intermediate Court of Appeals
CAAP-15-0000745
19-JAN-2016
10:00 AM**

NO. CAAP-15-0000745

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ROBERT WILLIAM RAY ROST,
Plaintiff/Counterclaim Defendant-Appellant,

v.

BANK OF HAWAII,
Defendant/Counterclaimant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 15-1-0205(1))

ORDER APPROVING THE JANUARY 8, 2016
STIPULATION TO DISMISS APPEAL WITH PREJUDICE
(By: Nakamura, C.J., Foley and Ginoza, JJ.)

Upon consideration of the "Stipulation to Dismiss Appeal Filed October 16, 2015, With Prejudice," filed January 8, 2016, by Defendant-Counterclaimant-Appellee Bank of Hawaii, the papers in support, and the record, it appears that (1) the stipulation is dated and signed by counsel for all represented parties and all parties appearing pro se in the appeal; (2) the appeal has not been docketed; (3) the parties seek to dismiss the appeal with prejudice, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(a); and (4) the parties agree to bear their own

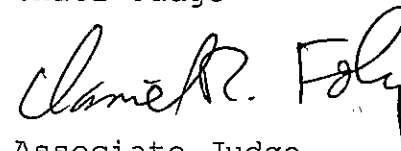
NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

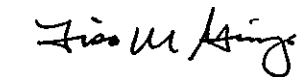
attorney's fees and costs on appeal other than the amounts paid pursuant to the Settlement Agreement and Release of Claims referenced in the stipulation.

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 attorney's fees and costs on appeal other than the amounts paid pursuant to the Settlement Agreement and Release of Claims referenced in the stipulation.

DATED: Honolulu, Hawai'i, January 19, 2016.


Chief Judge


Associate Judge


Associate Judge