

NO. CAAP-16-0000370

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ASSOCIATION OF APARTMENT OWNERS OF HALI'I KAI,
by it Board of Directors,
Plaintiff-Counter Claim Defendant/Appellee,
and
IAN K. JUDD; WAIKOLOA BEACH RESORT;
WAIKOLOA BEACH RESORT CONFERENCE,
Defendants/Cross Claim Defendants/Appellees,
v.
WELLS FARGO BANK, N.A.,
Defendant/Counterclaimant/Cross-Complainant/Appellee

MTGLQ INVESTORS, L.P. SUCCESSOR IN
INTEREST TO WELLS FARGO BANK., N.A.,
Proposed Real Party in Interest/Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 10-1-266K)

ORDER APPROVING THE NOVEMBER 21, 2016
"STIPULATION FOR DISMISSAL OF APPEAL"
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal," filed November 21, 2016, by so-called "Counter/Cross-Complainant-Appellant MTGLQ Investors, L.P. Successor in Interest to Wells Fargo Bank, N.A.," the papers in support, and the

record, it appears that (1) the appeal was docketed on June 28, 2016; (2) pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b), the parties appearing in the appeal stipulate to dismiss the appeal and bear their own costs and attorneys' fees on appeal; and (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed. The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, November 30, 2016.

Chief Judge

Associate Judge

Associate Judge