

NOS. CAAP-16-0000607 and CAAP-16-0000651

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

CHRISTOPHER F. CARROLL, as Personal Representative
of the Estate of Paula Jane Carroll, Duke-Patrick F. Carroll,
Christopher F. Carroll, Plaintiffs-Appellees,

v.

LARRY FLOYD CAMIT; PEARL HIGA; DEPARTMENT OF HUMAN SERVICES,
ADULT PROTECTION SECTION, STATE OF HAWAII,
Defendants-Appellants,

and

CINDY FOLTZ, B.C.P. INC., dba Nursefinders of Hawaii,
Defendants-Appellees,

and

JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10; DOE
PARTNERSHIPS 1-10; GOVERNMENTAL ENTITIES 1-10, ROE NON-PROFIT
CORPORATIONS AND/OR OTHER ENTITIES 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 12-1-0622(2))

ORDER APPROVING IN PART THE JUNE 27, 2017
STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE
(By: Fujise, Presiding Judge, Leonard and Reifurth, JJ.)

Upon consideration of the Stipulation for Dismissal of
Appeal With Prejudice and for Remand to Second Circuit Court for
Filing of Satisfaction of Judgment, filed June 27, 2017, by
Defendants-Appellants Larry Floyd Camit, Pearl Higa and State of
Hawaii, Department of Human Services, the papers in support, and
the record, it appears that (1) the appeal has not been docketed;

(2) pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b), the parties stipulate to dismiss the appeal with prejudice, remand the case to the circuit court to file a satisfaction of judgment, and to bear their own attorneys' fees and costs; (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal; and (4) because the appeal has not been docketed, dismissal is authorized by HRAP Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved in part,^{1/} and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs.

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, June 30, 2017.

Presiding Judge

Associate Judge

Associate Judge

^{1/} The parties request that we remand the case to the circuit court for entry of a satisfaction of judgment. However, upon dismissal of this appeal, the parties may file such a request directly with the circuit court.