

CAAP-16-0000652

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CH1R, LTD., a Hawaii corporation,
Plaintiff-Appellant,
v.
ASSOCIATION OF APARTMENT OWNERS OF KONA ALII,
a Hawaii non-profit corporation,
Defendant-Appellee,
and
JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS,
PARTNERSHIPS, GOVERNMENTAL AND OTHER ENTITIES 1-10,
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 16-1-083K)

ORDER GRANTING IN PART MOTION TO DISMISS APPEAL WITHOUT PREJUDICE
(By: Nakamura, Chief Judge, Leonard and Ginoza, JJ.)

Upon consideration of Plaintiff-Appellant CH1R, Ltd.'s Motion to Dismiss Appeal filed herein on December 22, 2017, the memorandum in partial opposition, and the records and files herein,

IT IS HEREBY ORDERED that said motion is granted in part. Plaintiff-Appellant CH1R, Ltd.'s appeal is hereby dismissed, without prejudice to a timely request for fees and cost.

DATED: Honolulu, Hawai'i, January 2, 2018.

On the motion:

John R. Dwyer, Jr.,
Mark G. Valencia,
(Case Lombardi & Pettit),
for Plaintiff-Appellant.

Chief Judge

Associate Judge

Associate Judge