

NO. CAAP-18-0000929

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

HSBC BANK USA, NATIONAL ASSOCIATION, as Trustee for the Holders
of the Deutsche ALT-A Securities, Inc. Mortgage Loan Trust,
Mortgage Pass-Through Certificates Series 2007-OA4,
Plaintiff/Counterclaim Defendant/Appellee, v. GERALD POZEN;
JANICE POZEN, Defendants/Counterclaim Plaintiffs/Appellants,
and MICHAEL O'TOOLE; and JOHN and MARY DOES 1-10,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 18-1-035K)

ORDER APPROVING STIPULATION TO DISMISS APPEAL
(By: Ginoza, Chief Judge, Fujise and Chan, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal Filed December 5, 2018," filed February 28, 2019, by Plaintiff/Counterclaim Defendant-Appellee HSBC Bank USA, the papers in support, and the record, it appears that (1) the appeal has not been docketed; (2) the parties stipulate to dismiss the appeal with prejudice, 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) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(a).

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 attorneys' fees and costs.

DATED: Honolulu, Hawai'i, March 11, 2019.

Chief Judge

Associate Judge

Associate Judge