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Intermediate Court of Appeals
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NO. CAAP-18-0000888

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STAR-BEACHBOYS, INC., Plaintiff-Appellant, v. CITY AND
COUNTY OF HONOLULU; WENDY K. IMAMURA, in her
official capacity as Purchasing Administrator,
Department of Budget and Fiscal Services, City and
County of Honolulu; NELSON H. KOYANAGI, JR., in
his official capacity as Director of the
Department of Budget and Fiscal Services, City and
County of Honolulu; GUY H. KAULUKUKUI, in his
official capacity as Director of the Department of
Enterprise Services, City and County of Honolulu;
CHARLIAN WRIGHT, in her official capacity as a
representative of the Department of Enterprise
Services, City and County of Honolulu; and its
Director, DIVE OAHU, INC., a domestic profit
corporation; JOHN DOES 1-20; JANE DOES 1-20; DOE
PARTNERSHIPS, CORPORATIONS OR OTHER ENTITIES 1-20,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 18-1-0635-04 (DEO))

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Reifurth, Presiding Judge, Chan and Hiraoka, JJ.)

Upon consideration of the Stipulation for Dismissal of
Appeal, filed April 18, 2019, by Plaintiff-Appellant Star-
Beachboys, Inc., the papers in support, and the record, it
appears that (1) the appeal has been docketed; (2) the parties
stipulate to dismiss the appeal under Hawai'i Rules of Appellate
Procedure (HRAP) Rule 42(b); (3) the stipulation is dated and
signed by counsel for all parties appearing in the appeal; and

(4) HRAP Rule 42(b) requires parties to specify the terms as to payment of costs, which the instant stipulation fails to do. Nonetheless, the court will construe the instant stipulation as a motion to dismiss the appeal, under HRAP Rule 42(b), and grant the requested relief.

Therefore, IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed.

DATED: Honolulu, Hawai'i, April 24, 2019.


Presiding Judge


Associate Judge


Associate Judge