

NO. CAAP-18-0000970

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ALICIA MALUAFITI, Plaintiff-Appellee v. WENDY BRIGHT,  
as Successor Trustee of Linda Leon Living Trust,  
Defendant-Appellant, and JOHN and JANE DOE 1-20;  
DOE CORPORATIONS 1-20; DOE PARTNERSHIPS 1-20; DOE GOVERNMENTAL  
UNITS 1-20; and DOE ENTITIES 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 14-1-0144)

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

Upon consideration of the Stipulation for Dismissal of Appeal, filed April 30, 2019, by Defendant-Appellant Wendy Bright (Bright), Trustee, the papers in support, and the record, it appears that (1) under Hawaii Rules of Appellate Procedure (HRAP) Rule 42(b), the parties stipulate to dismiss the appeal, that "each party [is] to be responsible for their own fees and costs," and that "[o]utstanding fees and costs required by [HRAP] Rule 45(e)(1) and other obligations of the Defendant-Appellant under HRS Chapter 607 or other statutes or rules shall be paid by the Defendant-Appellant"; (2) the stipulation is dated and signed by counsel for all parties appearing in the appeal; and (3) all filing and docketing fees required by HRAP Rule 45(e)(1) have been paid and the appeal has been docketed. We understand the fees and costs referred to in the second sentence of the stipulation to refer to fees and costs that are potentially

outside the scope of the fees and costs referred to in the first sentence of the stipulation because otherwise that portion of the second sentence would be unnecessary.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved, and the appeal is dismissed. Any outstanding fees and costs required by HRS Chapter 607 or other statutes or rules shall be paid by Bright.

DATED: Honolulu, Hawai'i, May 7, 2019.

Chief Judge

Associate Judge

Associate Judge