

NO. CAAP-18-0000625

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LILIHA PROFESSIONAL BUILDING, LLC, a Hawaii limited liability company, Plaintiff-Appellant, v. NADA, ONO, KA'ANHE, SOLOMON & HAYASHI LLP; LEILANI KA'ANEHE, AARON K. NADA; and DAVID ONO, Defendants-Appellees, and DELPHINE WONG AND DEBORAH KOBAYASHI, CO-TRUSTEES OF THE WILLIE & DELPHINE WONG TRUST, Intervenor-Appellee

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CIVIL CASE NO. 1RC18-1-1966)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the "Stipulation for Dismissal of Liliha Professional Building, LLC's Appeal From the Order Granting Intervenor Delphine Wong and Deborah Kobayashi, Co-Trustees of the Willie & Delphine Wong Trust's Motion to Dismiss Complaint, Filed on April 20, 2018, Filed July 13, 2018," filed June 5, 2019, by Plaintiff-Appellant/Cross-Appellee Liliha Professional Building, LLC (Liliha Professional Building), the papers in support, and the record, it appears that:

(1) Liliha Professional Building filed the notice of appeal on August 10, 2018, and Defendants-Appellees/Cross-Appellants Nada, Ono, Ka'anehe, Solomon & Hayashi LLP, Leilani Ka'anehe, Aaron K. Nada, and David Ono (Nada Ono) filed the notice of cross-appeal on October 1, 2018;

(2) The appeal and cross-appeal have been docketed;

(3) The parties stipulate to dismiss Liliha Professional Building's appeal with prejudice and bear their own attorneys' fees and costs concerning Liliha Professional Building's appeal. The parties further stipulate that Nada Ono's cross-appeal remains pending and the parties reserve their rights concerning attorneys' fees and costs in the cross-appeal;

(4) The stipulation is dated and signed by counsel for all parties appearing in the appeal and cross-appeal; and

(5) Dismissal of Liliha Professional Building's appeal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss Liliha Professional Building's appeal is approved and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs in Liliha Professional Building's appeal. Nada Ono's cross-appeal remains pending and the parties may move for attorneys' fees and costs in the cross-appeal.

DATED: Honolulu, Hawai'i, June 12, 2019.

Presiding Judge

Associate Judge

Associate Judge