

NO. CAAP-18-0000679

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

CIBER INC., A Delaware Corporation, Plaintiff/Counterclaim  
Defendant-Appellee/Cross-Appellee, v. STATE OF HAWAII,  
DEPARTMENT OF TRANSPORTATION, Defendant/Counterclaim  
Plaintiff-Appellee/Cross-Appellee, and JOHN DOES 1-10;  
JANE DOES 1-10; DOE CORPORATIONS 1-10; AND  
DOE ENTITIES 1-10, Defendants

STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION,  
as assignee of CIBER INC., Third-Party Plaintiff-Appellee/  
Cross-Appellee/Cross-Appellant, v. CONTINENTAL CASUALTY COMPANY,  
Third-Party Defendant-Appellee/Cross-Appellee,  
and CERTAIN UNDERWRITERS AT LLOYD'S LONDON, ASPEN SYNDICATE 4711,  
Third-Party Defendant-Appellant/Cross-Appellee, and LIBERTY  
INSURANCE SURPLUS CORPORATION, Third-Party Defendant-  
Appellee/Cross-Appellee, and CERTAIN UNDERWRITERS AT LLOYD'S  
LONDON, BARBICAN SYNDICATE 1955; and CERTAIN UNDERWRITERS AT  
LLOYD'S LONDON, KILN SYNDICATE 510, Third-Party Defendants-  
Appellants/Cross-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 15-1-1881)

ORDER APPROVING STIPULATION TO DISMISS APPEAL  
(By: Reifurth, Presiding Judge, Chan and Hiraoka, JJ.)

Upon consideration of the Stipulation to Voluntarily  
Dismiss Appeal, filed June 27, 2019, by Third-Party Defendants-  
Appellants/Cross-Appellees Aspen Managing Agency Limited,  
Barbican Corporate Member Limited, and Tokio Marine Kiln  
Syndicates Limited, the papers in support, and the record, it  
appears that (1) the appeal has been docketed; (2) the parties

stipulate to dismiss the appeal and cross-appeal without prejudice and bear their own attorneys' fees and costs on appeal; (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal and cross-appeal; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved in part and the appeal is dismissed. The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, June 28, 2019.

Presiding Judge

Associate Judge

Associate Judge