

NO. CAAP-18-0000902

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

ANTHONY S. BARDIN; GREG ALLEN, SR. and
GREG ALLEN, JR.; THOMAS J. BROOKS; JENNIFER S. BROOKS;
MICHAEL CHANDLER; KIRBY B. GUYER;
MILTON SEARLES; JOHN R. HOFF TRUST;
LORNA E. HOFF TRUST; MICHAEL L. KAISER;
TODD SCHRIM; JOHN WARK and SHANNON WARK,
Appellants-Appellants,

v.

PLANNING DEPARTMENT OF THE COUNTY
OF KAUAI/PLANNING COMMISSION OF THE COUNTY OF KAUAI,
KIMO KEAWE, in his official capacity as
Chairperson of the Planning Commission,
Appellees-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIVIL NO. 17-1-0181)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Ginoza, Chief Judge, Reifurth and Hiraoka, JJ.)

Upon consideration of the April 29, 2019 "Motion for Dismissal of Appeal as to [Plaintiffs-]Appellants Thomas J. Brooks and Jennifer S. Brooks [(collectively, **Brooks Appellants**)], " the papers in support, and the record, it appears the Brooks Appellants move to dismiss the appeal as to themselves, with prejudice.

Therefore, IT IS HEREBY ORDERED that the motion is granted and the appeal is dismissed with prejudice as to the Brooks Appellants only, and no other party, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b).

DATED: Honolulu, Hawai'i, June 20, 2019.

Chief Judge

Associate Judge

Associate Judge