

NO. CAAP-19-0000459

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LEN K. KAMAKAWIWOOLE, Claimant-Appellee/Cross-Appellant v.
OAHU TRANSIT SERVICES, INC., - THE BUS, Self-Insured Employer-
Appellant/Cross-Appellee, and FIRMS CLAIMS SERVICES, Third-Party
Administrator-Appellant/Cross-Appellee,
and SPECIAL COMPENSATION FUND, Appellee/Cross-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2017-299 (2-12-08690))

ORDER GRANTING MOTION TO DISMISS APPEAL

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

Upon consideration of the Withdrawal of Appeal, filed June 27, 2019, by Self-Insured Employer-Appellant/Cross-Appellee Oahu Transit Services, Inc. and Third-Party Administrator-Appellant/Cross-Appellee Firms Claims Services (Appellants/Cross-Appellees), which the court construes as a motion, the papers in support, and the record, it appears that (1) Appellants/Cross-Appellees filed the notice of appeal on June 24, 2019, and Claimant-Appellee/Cross-Appellant Len K. Kamakawiwoole (Appellee/Cross-Appellant) filed the notice of cross-appeal on July 1, 2019; (2) the appeal and cross-appeal have not been docketed; (3) Appellants/Cross-Appellees seek to dismiss their appeal; and (4) dismissal of Appellants/Cross-Appellees' appeal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the motion is granted and Appellants/Cross-Appellees appeal is dismissed.

Henceforth, this appeal shall be based upon the notice of cross-appeal, filed July 1, 2019.

DATED: Honolulu, Hawai'i, July 10, 2019.

Chief Judge

Associate Judge

Associate Judge