

NOS. CAAP-16-0000211, CAAP-16-0000581 AND CAAP-16-0000622

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

VICTORIA WARD CENTER, L.L.C., A Delaware limited liability company, Plaintiff/Counterclaim-Defendant/Appellee/Cross-Appellant, v. GOLD GUYS HOLDINGS, LLC, a Minnesota limited liability company, doing business as GOLD GUYS HAWAII, LLC, a Hawaii limited liability company, Defendant/Counterclaim-Plaintiff/Appellant/Cross-Appellee, and SHANE A. MAGUIRE, Defendant/Appellant/Cross-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 13-1-2461-09)

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

Upon consideration of (1) the motion for attorneys' fees and costs (**Motion for Fees and Costs**) filed on July 19, 2019 and (2) the stipulation to dismiss appeal (**Stipulation**) filed on September 26, 2019, both of which were filed by Plaintiff/Counterclaim-Defendant/Appellee/Cross-Appellant Victoria Ward Center L.L.C., and the records and files herein, it appears that subsequent to the court's Memorandum Opinion issued on June 27, 2019 and the filing of the Motion for Fees and Costs, the parties now seek dismissal of the appeal with prejudice, with each party

to bear his, her or its own attorneys' fees and costs, pursuant to Rule 42(b) of the Hawai'i Rules of Appellate Procedure.

IT IS HEREBY ORDERED that the Stipulation is approved, and the appeal is dismissed with prejudice, with the parties to bear their own attorneys' fees and costs.

IT IS HEREBY FURTHER ORDERED that the Motion for Fees and Costs and all other pending motions, if any, are dismissed as moot.

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

Chief Judge

Associate Judge

Associate Judge