

Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000413
06-MAR-2020
09:05 AM

NO. CAAP-19-0000413

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

GRAMIGER NS LLC, Plaintiff-Appellee, v. APTI HOLDINGS LLC,
Defendant-Appellee, and VALERIE R. MARQUARDT,
also known as VALERIE MARQUARDT, Defendant-Appellant,
and DOE DEFENDANTS 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 18-1-1659)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On May 30, 2019, self-represented Defendant-Appellant Virginia R. Marquardt (Marquardt) filed the notice of appeal for herself and Defendant-Appellee APTI Holdings LLC (APTI Holdings);

(2) On August 20, 2019, the court, among other things, found the appeal is valid as to Marquardt only and not APTI Holdings, because Marquardt is not a licensed attorney, and "non-attorney agents are not allowed to represent corporations in litigation." Oahu Plumbing & Sheet Metal, Ltd. v. Kona Constr., Inc., 60 Haw. 372, 377, 590 P.2d 570, 574 (1979);

(3) The statement of jurisdiction and opening brief were due on a second extension on or before November 4, 2019;

(4) Marquardt did not file either document or request a third extension of time;

(5) On December 4, 2019, the appellate clerk notified Marquardt that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on December 16, 2019, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Marquardt could request relief from default by motion; and

(6) Marquardt took no further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 6, 2020.


Presiding Judge


Associate Judge


Associate Judge