

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-20-0000108  
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NO. CAAP-20-0000108

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

HAWAII MEDICAL SERVICE ASSOCIATION, Plaintiff-Appellee, v.  
FREDERICK NITTA, M.D., Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(S.P. NO. 19-1-1 GKN)

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

Upon consideration of the "Stipulation Withdrawing Appeal and Order," filed March 30, 2020, by Defendant-Appellant Frederick Nitta, it appears that (1) the appeal has not been docketed; (2) pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b), the parties stipulate to dismiss the appeal and bear their own costs and attorneys' fees; (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal; and (4) because the appeal has not been docketed, dismissal is authorized by HRAP Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved under HRAP Rule 42(a), and the

appeal is dismissed. The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, April 17, 2019.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Alexa D.M. Fujise  
Associate Judge

/s/ Katherine G. Leonard  
Associate Judge