

NO. CAAP-19-0000569

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS  
TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS,  
INC., AS ASSET-BACKED CERTIFICATES, SERIES  
2005-AB4, Plaintiff-Appellee, v. KIEL JAMES  
PATTISON, Defendant-Appellee, and ASSOCIATION OF  
APARTMENT OWNERS OF ELIMA LANI CONDOMINIUMS,  
Defendant-Appellant, and JOHN DOES 1-20; JANE DOES  
1-20; DOE CORPORATIONS 1-20; DOE ENTITIES 1-20;  
AND DOE GOVERNMENTAL UNITS 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CIVIL NO. 18-1-118K)

ORDER APPROVING THE JULY 20, 2020  
STIPULATION TO DISMISS APPEAL WITH PREJUDICE  
(By: Ginoza, Chief Judge, Chan and Hiraoka, JJ.)

Upon consideration of the Stipulation for Dismissal  
With Prejudice as to Defendant-Appellant Association of Apartment  
Owners of Elima Lani Condominiums' Appeal, filed July 20, 2020,  
the papers in support, and the record, it appears that:

- (1) the appeal has been docketed;
- (2) pursuant to Hawai'i Rules of Appellate Procedure  
Rule 42(b), the parties stipulate to dismiss the appeal and bear  
their own attorneys' fees and costs; and

(3) the stipulation is dated and signed by counsel for all parties appearing in the appeal.

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

DATED: Honolulu, Hawai'i, July 28, 2020.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Derrick H.M. Chan  
Associate Judge

/s/ Keith K. Hiraoka  
Associate Judge