

NO. CAAP-20-0000295

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ASSOCIATION OF APARTMENT OWNERS OF DIAMOND HEAD VISTA  
by its Board of Directors, Plaintiff-Appellee, v.  
BIKINI LLC, a Hawaii limited liability company,  
Defendant-Appellant, and BANK OF HAWAII, a Hawaii corporation,  
Defendant-Appellee, and JOHN DOES 1-5; JANE DOES 1-5;  
DOE PARTNERSHIPS 1-5; DOE CORPORATIONS 1-5; DOE ENTITIES 1-5;  
and DOE GOVERNMENTAL UNITS 1-5, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CC181001079)

ORDER APPROVING STIPULATION FOR DISMISSAL OF APPEAL  
(By: Ginoza, Chief Judge, Chan and Wadsworth, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal Filed April 20, 2020" (**Stipulation**), filed July 24, 2020, by Defendant-Appellant Bikini, LLC, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal with prejudice; (3) the Stipulation is dated and signed by counsel for all

parties appearing in the appeal; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b).<sup>1</sup>

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice.

DATED: Honolulu, Hawai'i, October 14, 2020.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Derrick H.M. Chan  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge

---

<sup>1</sup> Under HRAP Rule 2, the court suspends the requirement in HRAP Rule 42(b) that a stipulation to dismiss an appeal specify the terms as to payment of costs, which the parties omitted from the Stipulation.