

NO. CAAP-20-0000658

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

HO'OLEHUA HOUSING, LP doing business as LOKAHI APARTMENTS
Plaintiff-Appellee, v.
ANTON PHILIPP, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(CIVIL NO. 3DRC-20-0001427)

ORDER APPROVING STIPULATION
FOR DISMISSAL OF APPEAL WITH PREJUDICE

(By: Ginoza, Chief Judge, Leonard and Wadsworth, JJ.)

Upon consideration of the "Stipulation for Dismissal With Prejudice of Anton Philipp's Appeal From the Order Granting Motion for Partial Summary Judgment on the Issue of Possession Filed October 20, 2020, Including the Minutes of the October 20, 2020 Hearing Regarding Supersedeas Bond, Filed October 28, 2020" (Stipulation to Dismiss Appeal), filed December 15, 2020, by Plaintiff-Appellee Ho'olehua Housing LP, the papers in support, and the record, it appears that (1) the appeal has not been docketed; (2) the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs; (3) the Stipulation to Dismiss Appeal 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 Rule 42(a).

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

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

DATED: Honolulu, Hawai'i, December 31, 2020.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge