

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-20-0000422

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

KI-TOV, LLC doing business as
BLUE SEA BREEZE APARTMENTS, Plaintiff-Appellee, v.
AVI YERBER and MANAGEMENT, INC., Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(CASE NOS. 2RC181000169 and 2RC181000170)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation to Dismiss Appeal with Prejudice, filed March 1, 2021, by Plaintiff-Appellee Ki-Tov LLC doing business as Blue Sea Breeze Apartments, 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 and bear their own attorneys' fees and costs; (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 Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the Stipulation to Dismiss Appeal with Prejudice is approved and the appeal is

dismissed with prejudice. The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, March 8, 2021.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Karen T. Nakasone
Associate Judge