

**Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000260
04-JUN-2021
09:07 AM
Dkt. 62 OAWST**

NO. CAAP-19-0000260

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

MORTGAGE CAPITAL GROUP, LLC, a Hawaii limited liability company, Plaintiff-Appellee, v. THOMAS MOSES JOHNSON, III, also known as THOMAS M. JOHNSON, III, Defendant-Appellant; and 3M INVESTMENTS INC.; ASSOCIATION OF APARTMENT OWNERS OF ALA MOANA HOTEL CONDOMINIUM; KOKO MARINA HOLDINGS;, JOHN DOES 1-20, JANE DOES 1-20, DOE PARTNERSHIPS 1-20, DOE CORPORATIONS 1-20, DOE ENTITIES 1-20 and DOE GOVERNMENTAL UNITS 1-20, Defendants-Appellees

ALLAN POLLOCK, RICHARD PAIGE and CATHY E. PAIGE, TRUSTEE OF THE CATHY E. PAIGE 2002 TRUST, Third Party Plaintiffs v. FIRST HAWAIIAN BANK and OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, Third Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 09-1-0487-02)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation of Parties to Dismiss Appeal, filed June 1, 2021, by Defendant-Appellant Thomas Moses Johnson III, 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 and bear their own attorneys' fees and costs; (3) the stipulation is 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).

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

DATED: Honolulu, Hawai'i, June 4, 2021.

/s/ Alexa D.M. Fujise
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge