

NO. CAAP-20-0000095

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

GREEN ENERGY HAWAII LLC, a Hawaii Limited Liability  
Company, Plaintiff-Appellant,

v.

SBC ENERGY HAWAII, INC., a Hawaii corporation, its successor  
and assigns; STANDARDKESSEL BAUMGARTE CONTRACTING GmbH,  
a German limited liability company, its successors and assigns;  
SB CONTRACTING GmbH, a German limited liability company, its  
successors and assigns; STANDARDKESSEL GmbH, a German limited  
liability company, its successors and assigns; STANDARDKESSEL  
POWER SYSTEMS HOLDING GmbH, a German limited liability company,  
its successors and assigns; EXPAND, B.V., a Dutch private limited  
liability company, its successors and assigns; CHARLES LEBBE  
BVBA, a Belgian company with limited liability, its successors  
and assigns; LEBBE FORESTRY LLC, a Hawaii limited liability  
company, its successors and assigns; HEINZ-JOSEF EVERTZ;  
FILIP ACKERMAN; FRANCIS COUCKE, GILLES LEBBE, JORG  
KLASEN and MARIO SCHARF, Defendants-Appellees,  
and  
JOHN DOES 1-50; JANE DOES 1-50; and DOE  
PARTNERSHIPS, CORPORATIONS, GOVERNMENTAL UNITS or  
OTHER ENTITIES 1-50 Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CC181000118)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation to Dismiss Appeal  
(**Stipulation**), filed on August 17, 2021, by Defendants-Appellees

SBC Energy Hawaii, Inc. (**SBC Energy Hawaii**), and Expand, B.V., 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, that Plaintiff-Appellant Green Energy Hawaii LLC will pay SBC Energy Hawaii \$8,909.51 for its fees and costs in the appeal, and all others will 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 is approved and the appeal is dismissed.

DATED: Honolulu, Hawai'i, September 20, 2021.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Katherine G. Leonard  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge