

NO. CAAP-19-0000113

IN THE INTERMEDIATE COURT OF APPEALS

STATE OF HAWAII

EMI M. TANAKA, Claimant-Appellant, v.
PACIFIC SOUVENIR GROUP, INC., C/O PROSERVICE
HAWAII-HRO DIV., Employer-Appellee,
and
HEADLAND INSURANCE COMPANY, Insurance Carrier-Appellee,
and
PROSERVICE HAWAII, Insurance Adjuster-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2015-323; DCD NO. 2-14-02233)

ORDER GRANTING STIPULATION TO DISMISS APPEAL
(By: Ginoza, C.J., Hiraoka and Wadsworth, JJ.)

Upon consideration of the "Stipulation to Dismiss with Prejudice Pursuant to Rule 42(b) HRAP" filed on September 28, 2021, by Emi M. Tanaka, Claimant-Appellant (Appellant), Pacific Souvenir Group, Inc., c/o Proservice Hawaii-HRO DIV., Employer-Appellee, Headland Insurance Co., Insurance Carrier-Appellee, and Proservice Hawaii, Insurance Adjuster-Appellee, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b); (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal, but it does not specify the terms as to payment of costs; and (4) nonetheless, the court will construe the stipulation as Appellant's motion to dismiss the appeal under HRAP Rule 42(b), and grant the requested relief.

Therefore, IT IS HEREBY ORDERED that the motion is granted and the appeal is dismissed with prejudice.

DATED: Honolulu, Hawai'i, October 15, 2021.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge