

**Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000869
19-NOV-2021
07:53 AM
Dkt. 71 OAWST**

NO. CAAP-19-0000869
(Consolidated with No. CAAP-20-0000105)

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

CAAP-19-0000869

ASSOCIATION OF APARTMENT OWNERS OF WAILEA ELUA,
an unincorporated condominium association,
Plaintiff-Appellant,

v.

WAILEA COMMUNITY ASSOCIATION, a Hawaii non-profit
corporation; FRANK PIKRONE, Defendants-Appellees
and
JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50; and
DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 2CC171000374)

and

CAAP-20-0000105

ASSOCIATION OF APARTMENT OWNERS OF WAILEA ELUA,
an unincorporated condominium association,
Plaintiff-Appellee,

v.

WAILEA COMMUNITY ASSOCIATION, a Hawaii non-profit
corporation; FRANK PIKRONE, Defendants-Appellants
and
JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50, and
DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 2CC171000374)

ORDER

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

Upon consideration of the Stipulation for Dismissal of Appeal and Order, filed November 16, 2021 (JIMS dkt. 65), by Plaintiff-Appellant/Appellee Association of Apartment Owners of Wailea Elua, and the Stipulation for Dismissal of Appeal and Order filed November 16, 2021 (JIMS dkt. 67), by Defendants-Appellees/Appellants Wailea Community Association and Frank Pikrone, the papers in support, and the record, it appears that (1) the appeals have been docketed; (2) the parties stipulate to dismiss both appeals with prejudice and bear their own attorneys' fees and costs; (3) the stipulations are dated and signed by counsel for all parties appearing in both appeals; and (4) the dismissals are authorized by Rule 42(b) of the Hawai'i Rules of Appellate Procedure.

Therefore, IT IS HEREBY ORDERED that the stipulations to dismiss the appeals are approved and the appeals are dismissed with prejudice. The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, November 19, 2021.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Keith K. Hiraoka
Associate Judge