

NO. CAAP-21-0000673

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

SIERRA CLUB, Plaintiff-Appellee v.  
DEPARTMENT OF HEALTH and DR. ELIZABETH A. CHAR,  
in her official capacity as Director of Health,  
Defendants-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CCV-20-0000751)

ORDER APPROVING STIPULATION TO DISMISS APPEAL  
(By: Ginoza, Chief Judge, Leonard and McCullen, JJ.)

Upon consideration of the March 23, 2022 "Proposed Stipulation for Dismissal of Appeal" (Stipulation) filed by Defendants-Appellants Department of Health and Dr. Elizabeth A. Char, in her official capacity as Director of Health (Appellants), the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs except Appellants shall pay in total \$1,194.76 to Plaintiff-Appellee Sierra Club (Appellee) for attorney's fees and general excise tax thereon within sixty (60) days from the date this court approves the Stipulation; and (3) the Stipulation is dated and signed by counsel for all parties appearing in the appeal.

IT IS HEREBY ORDERED that the Stipulation to dismiss the appeal is approved, and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and

costs except Appellants shall pay in total \$1,194.76 to Appellee for attorney's fees and general excise tax thereon within sixty (60) days from the date of this order.

DATED: Honolulu, Hawai'i, March 30, 2022.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Katherine G. Leonard  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge