

NO. CAAP-22-0000039

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

SUN CONSTRUCTION, INC., a Hawaii corporation, Claimant-Appellee,
v. MICHELLE MITCHELL, M.D.; HAWAII FAMILY HEALTH, INC.,
a domestic corporation, Respondents-Appellants, and
HAWAII NATIONAL BANK, an unincorporated association,
Respondent-Appellee, and JOHN DOES 1-10; DOE CORPORATIONS,
PARTNERSHIPS AND OTHER ENTITIES 1-10, Respondents

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NO. 3CML-19-0000003)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

(By: Leonard, Presiding Judge, McCullen and Chan, JJ.)

Upon consideration of the Proposed Stipulation for Dismissal of Appeal (**Stipulation**), filed November 14, 2022, by Claimant-Appellee Sun Construction, Inc., Respondents-Appellants Michelle Mitchell, M.D. and Hawaii Family Health, Inc., and Respondent-Appellee Hawaii National Bank, 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 and bear their own attorneys' fees and costs, under Hawai'i Rules of Appellate Procedure Rule 42(b); and (3) the Stipulation is

dated and signed by counsel for all parties appearing in the appeal.

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

DATED: Honolulu, Hawai'i, December 16, 2022.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge