

NO. CAAP-22-0000360

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

DANIEL K. KAOHIMAUNU, Plaintiff-Appellant, v. TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP, dba KAMEHAMEHA SCHOOLS; LANCE KEAWE WILHELM, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools; ROBERT K.W.H. NOBRIGA, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools; ELLIOT KAWAIO'OLANA MILLS, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools; MICAH ALIKA KANE, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools; and CRYSTAL KAUILANI ROSE, in her capacity as Trustee of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools, Defendants/Cross-Claimants-Appellees, and THE ESTATE OF EUGENE A. TURCHI, aka EUGENE AUGUST TURCHI; CHARLES DUNN, Defendants/Cross-Claim Defendants-Appellees, and ROBERT HOLOUA STENDER, Defendant-Appellee, and JOHN DOES 1-10; MARY DOES 1-10; DOE CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10; DOE UNINCORPORATED ORGANIZATIONS 1-10; and DOE GOVERNMENTAL AGENCIES 1-10, individually and severally, Defendants-Appellees, and DOES 1-10; DOE PERSONAL REPRESENTATIVE OF ESTATE OF EUGENE A. TURCHI; and DOE SPECIAL ADMINISTRATOR OF THE ESTATE OF EUGENE A. TURCHI, Defendants/Cross-Claim Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CCV-20-0000522)

ORDER GRANTING MOTION TO DISMISS APPEAL  
(By: Ginoza, Chief Judge, Nakasone and Chan, JJ.)

Upon consideration of the September 30, 2022 "Motion to Dismiss Appeal from Judgment Re Defendant Robert Holoua Stender, Filed on May 16, 2022, Filed May 25, 2022," (**Motion to Dismiss**) by Plaintiff-Appellant Daniel K. Kaohimaunu (**Appellant**), the papers in support, there being no opposition, and the record, it appears that:

(1) the appeal has been docketed;

(2) pursuant to Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b), Appellant, Defendants-Appellees Trustees of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools, Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Elliot Kawaio'olana Mills, Micah Alika Kane, and Crystal Kauilani Rose, in their capacity as Trustees of the Estate of Bernice Pauahi Bishop, dba Kamehameha Schools (collectively **KS**), and Defendant-Appellee Robert Holoua Stender (**Stender**), agree to dismiss the appeal with prejudice, there are no other pending claims and issues between all parties to the underlying action pursuant to an October 25, 2022 Stipulation and Order for Dismissal With Prejudice of All Claims and Parties approved by the circuit court, and Appellant, KS, and Stender agree to bear their own attorney's fees and costs on appeal; and

(3) no other party to the case has made an appearance in the appeal or responded to the Motion to Dismiss.

IT IS HEREBY ORDERED that the Motion to Dismiss is approved, and the appeal is dismissed with prejudice, pursuant to HRAP Rule 42(b). All parties shall bear their own attorney's fees and costs on appeal.

DATED: Honolulu, Hawai'i, January 20, 2023.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Derrick H.M. Chan  
Associate Judge