

NO. CAAP-22-0000028

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR J.P. MORGAN  
MORTGAGE TRUST 2006-A6, Plaintiff-Appellee,

v.

KAILUA HOUSING CORPORATION, Defendant-Appellant  
and

ANDREW S. MONTGOMERY, SUCCESSOR TRUSTEE OF THE JAMES F.  
MONTGOMERY TRUST, U/A DATED APRIL 27, 1992, DIANE D. MONTGOMERY,  
KEOPU MAUKA PROPERTY OWNERS ASSOCIATION, FIRST HAWAIIAN BANK,  
KEOPU WATER ASSOCIATION, BANK OF AMERICAN, N.A., and DOES 2  
through 20 inclusive, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CASE NO. 3CC18100233)

ORDER

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

Upon consideration of the Amended Stipulation for Dismissal of Appeal, filed March 15, 2023, by Defendant-Appellant Kailua Housing Corporation, the papers in support, and the record, it appears that (1) the appeal has docketed; (2) the parties stipulated to dismiss the appeal with prejudice, under Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b), and have addressed attorneys' fees and costs; 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 on appeal.

DATED: Honolulu, Hawai'i, March 16, 2023.

/s/ Karen T. Nakasone  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge

/s/ Derrick H.M. Chan  
Associate Judge