

NO. CAAP-22-0000543

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE POOLING
AND SERVICE AGREEMENT DATED AS OF NOVEMBER 1, 2006 SECURITIZED
ASSET BACKED RECEIVABLES LLC TRUST 2006-FR4, Plaintiff-Appellee,
v. LORI J. HAWTHORNE, fka LORI J. BAUER,
aka LORI S. BAUER, Defendant-Appellee, and
LANI PACIFIC, Defendant-Appellant, and
DOES 1-20, inclusive, Defendants

LANI PACIFIC, a registered business entity, Plaintiff-Appellant,
v. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE
POOLING AND SERVICE AGREEMENT DATED AS OF NOVEMBER 1, 2006
SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2006-FR4,
Defendant-Appellee, and DOES 1-20, inclusive, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NOS. 3CC19100014K and 3CCV-20-0000212 (consolidated))

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Wadsworth and Chan, JJ.)

Upon review of the record, it appears that:

(1) The opening brief was due on a clerk's extension on
or before January 26, 2023;

(2) Defendant-Appellant David Paul Biesemeyer dba Lani
Pacific (Biesemeyer) did not file the opening brief or request a
further extension of time;

(3) On February 1, 2023, the appellate clerk notified
Biesemeyer that the time for filing the opening brief had
expired, the matter would be called to the court's attention on
February 13, 2023, for appropriate action, which could include
dismissal of the appeal, under Hawai'i Rules of Appellate

Procedure Rule 30, and Biesemeyer could request relief from default by motion; and

(4) Biesemeyer took no further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 30, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge