

NO. CAAP-23-0000306

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

IN RE APPLICATION TO SETTLE BOUNDARIES OF THE LAND OF KAHUKU
(PORTION), DISTRICT OF KA'U, ISLAND OF HAWAI'I

LANCE KEAWE WILHELM; ROBERT K.W.H. NOBRIGA; ELLIOT K. MILLS;
CRYSTAL KAUILANI ROSE; and JENNIFER NOELANI GOODYEAR-KA'OPUA,
as Trustees of the Estate of Bernice Pauahi Bishop,
dba KAMEHAMEHA SCHOOLS, Plaintiffs-Appellees, v.
KEALIA RANCH, LLC, a Hawai'i limited liability company;
ELIZABETH LEE STACK, as Personal Representative of the Estate of
Elizabeth Marks Stack, aka Elizabeth M. Stack,
aka Elizabeth Stack, Defendants-Appellants, and
DOE DEFENDANTS 1-100, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NOS. 3CCV-21-0000154 and 3CPS-21-0000038)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation to Dismiss Appeal (Stipulation), filed August 22, 2023, by Plaintiffs-Appellees Lance Keawe Wilhelm, Robert K.W.H. Nobriga, Elliot K. Mills, Crystal Kauilani Rose and Jennifer Noelani Goodyear-Ka'opua, as Trustees of the Estate of Bernice Pauahi Bishop, doing business as Kamehameha Schools, the papers in support, and the record, it appears that (1) the filing fees have been paid and the appeal has been docketed; (2) the parties stipulate to dismiss the appeal, with each party to bear their own attorneys' fees and costs incurred in this appeal; (3) the Stipulation is dated and

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signed by all parties appearing in the appeal; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

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

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

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge