

NO. CAAP-22-0000023

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

SDCK I, LLC, Plaintiff-Appellee v. AINA LE'A, INC., a Delaware corporation; LULANA GARDENS LLC, a Delaware limited liability company; HO'OLEI VILLAGE LLC, a Hawaii limited liability company; B-1-A D-1-A, LLC, a Hawaii limited liability company, Defendants-Third Party Plaintiffs-Cross Claim Defendants-Appellants, and ROMSPEN INVESTMENT CORPORATION, Defendant-Cross Claim Defendant-Counterclaimant-Cross Claimant-Third-Party Plaintiff-Appellee, and BRIDGE AINA LE'A, LLC, a Hawaii limited liability company, Defendant-Cross Claim Defendant-Counterclaimant-Cross Claimant-Appellee, and LIBO ZHAN, Defendant-Counterclaimant-Cross Claimant-Cross Claim Defendant-Appellee, and PLANNING DIRECTOR, DEPARTMENT OF PLANNING, County of Hawai'i, COUNTY OF HAWAII, a municipal corporation, State of Hawai'i, Third-Party Defendant-Appellee, and ROBERT WESSELS, Third-Party Defendant-Appellee, and JOHN DOES 1-50, JANE DOES 1-50, and DOE ENTITIES 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CIVIL NO. 3CCV-20-000375)

ORDER APPROVING "STIPULATION TO DISMISS WITH PREJUDICE DEFENDANT AND CROSSCLAIMANT-APPELLEE ROMSPEN INVESTMENT CORPORATION AND CLAIMS RELATED TO PARCEL D-1-B-2"  
(By: Ginoza, Chief Judge, Leonard and Nakasone, JJ.)

Upon consideration of the "Stipulation to Dismiss with Prejudice Defendant and Crossclaimant-Appellee Romspen Investment Corporation and Claims Related to Parcel D-1-B-2" (**Stipulation**) filed on August 31, 2023, by Defendant and Crossclaimant-Appellee Romspen Investment Corporation (**Romspen Investment**), the papers in support, and the record, it appears that:

(1) the appeal has been docketed;

(2) pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate:

(a) to dismiss with prejudice "all claims asserted in this appeal by and against [Romspen Investment] and related to that certain parcel of real property located at 68-4747 Queen Kaahumanu Highway in the County and State of Hawai'i, commonly known as Parcel D-1-B-2, and also identified by Tax Map Key No. (3)6-8-001-036" **(Dismissed Claims);"**

(b) to bear their own attorneys' fees and costs as to the Dismissed Claims;

(c) that all appearing parties have signed the Stipulation to Dismiss;

(d) that "all other claims among/between the parties in this action are not affected by this Stipulation[;]" 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 Dismissed Claims are dismissed with prejudice. The parties shall bear their own attorneys' fees and costs as to the Dismissed Claims. All other claims among or between the parties in this action are not affected by this Stipulation.

DATED: Honolulu, Hawai'i, September 15, 2023.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Katherine G. Leonard  
Associate Judge

/s/ Karen T. Nakasone  
Associate Judge