

**Electronically Filed  
Intermediate Court of Appeals  
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NO. CAAP-20-0000698

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

JOSEPH G. BLACKBURN, II, Plaintiff-Appellee,  
v.

RICHARD D. GRONNA, as Personal Representative of  
THE ESTATE OF ROBERT MCCORMICK BROWNE,  
Defendant/Cross-claim Defendant-Appellee,  
and

KAMEHAMEHA SCHOOLS/BERNICE PAUAHI BISHOP ESTATE,  
ELLIOT K. MILLS, in his capacity as Trustee, CRYSTAL K. ROSE,  
in her capacity as Trustee, JENNIFER N. GOODYEAR-KA'OPUA, in her  
capacity as Trustee, MICHELLE KA'UHANE, in her capacity as  
Trustee, and ROBERT K.W.H. NOBRIGA, in his capacity as Trustee,<sup>1</sup>  
Defendants/Cross-claimants/Cross-claim Defendants-Appellees,  
and

ST. FRANCIS MEDICAL CENTER, a Hawaii corporation,  
Defendant/Cross-claim Defendant/Cross-claimant-Appellant,  
and

DOES 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CASE NO. 1CCV-20-0000664)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

(By: McCullen, Presiding Judge, Guidry, J., and  
Circuit Court Judge Viola, in place of Leonard, Acting  
Chief Judge, Hiraoka, Wadsworth and Nakasone, JJ., recused.)

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<sup>1</sup> Pursuant to Hawaii Rules of Evidence Rule 201 and Hawai'i Rules of Appellate Procedure Rule 43(c)(1), we take judicial notice that Crystal K. Rose, Jennifer N. Goodyear-Ka'opua, and Michelle Ka'uhane, are current Trustees of the Estate of Bernice Pauahi Bishop and are automatically substituted as Defendants/Cross-claimants/Cross-claim Defendants-Appellees in place of Micah A.K. Kane, Lance K. Wilhelm, and Corbett A.K. Kalama.

Upon consideration of the Stipulation for Dismissal of Appeal With Prejudice (**Stipulation**), filed June 14, 2024, by Defendant/Cross-claim Defendant/Cross-claimant-Appellant, St. Francis Medical Center, a Hawaii corporation, the papers in support, and the record, it appears that: (1) the appeal has been docketed and the filing fees paid; (2) under Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and that each party shall bear their own attorneys' fees and costs incurred on appeal; and (3) the Stipulation is dated and signed by counsel for all parties appearing in this appeal.<sup>2</sup>

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.

IT IS FURTHER ORDERED that the June 7, 2024 Order for Supplemental Briefing is vacated.

DATED: Honolulu, Hawai'i, June 24, 2024.

/s/ Sonja M.P. McCullen  
Presiding Judge

/s/ Kimberly T. Guidry  
Associate Judge

/s/ Matthew J. Viola  
Circuit Court Judge

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<sup>2</sup> The briefing period has expired, and Plaintiff-Appellee Joseph G. Blackburn, II (**Blackburn**), and Defendant/Cross-claim Defendant-Appellee Richard D. Gronna, as Personal Representative of the Estate of Robert McCormick Browne (**Gronna**), have not filed briefs. We thus construe Blackburn and Gronna as nominal parties, and do not require their counsels' signatures on the stipulation.