

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-23-0000728

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

ANTHONY RODRIGUEZ, Claimant-Appellant-Appellee, v.
AOAO KIHEI ALII KAI, INC., Employer-Appellee-Appellant, and
MARKEL INSURANCE COMPANY, adjusted by Markel Service, Inc.,
Insurance Carrier/Adjuster-Appellee-Appellant

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2023-049(M); DCD NO. 7-16-01131)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and Nakasone, JJ.)

Upon consideration of the Amended Motion to Dismiss Appeal with Prejudice (Amended Motion), filed May 24, 2024, by AOAO Kihei Alii Kai, Inc., Employer-Appellee-Appellant, and Markel Insurance Company, adjusted by Markel Service, Inc., Insurance Carrier/Adjuster-Appellee-Appellant, the papers in support, and the record, it appears that (1) the appeal has not been docketed; (2) the parties move to dismiss the appeal with prejudice; (3) the Amended Motion is signed by counsel for all parties appearing in the appeal; and (4) the requested relief is authorized by Hawai'i Rules of Appellate Procedure Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the Amended Motion is granted and the appeal is dismissed with prejudice.

DATED: Honolulu, Hawai'i, June 3, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Karen T. Nakasone
Associate Judge