

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-22-0000308  
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NO. CAAP-22-0000308

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR THE  
LXS 2005-9N TRUST FUND, Plaintiff-Appellee,

v.

MYRNA TOLBE TUMBAGA and ROGER BOLUSAN TUMBAGA,  
Defendants-Appellants

and

IRENEA BOLUSAN TUMBAGA; THE BANK OF NEW YORK MELLON FKA THE BANK  
OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A.,  
AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ  
INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-C;  
MIDLAND FUNDING LLC, Defendants-Appellees

and

JOHN DOES 1-20; JANE DOES 1-20; DOE CORPORATIONS 1-20; DOE  
ENTITIES 1 20; AND DOE GOVERNMENTAL UNITS 1-20,  
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CC161000015)

ORDER

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

Upon consideration of the "Stipulation for Dismissal  
with Prejudice of Notice of Appeal Filed April 29, 2022," by

**NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER**

Defendants-Appellants Myrna Tolbe Tumbaga and Roger Bolusan Tumbaga, the papers in support, and the record, it appears that (1) the appeal has docketed; (2) the parties stipulated to dismiss the appeal with prejudice, under Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b), and have addressed attorneys' fees and costs; 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 appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs on appeal.

DATED: Honolulu, Hawai'i, July 18, 2024.

/s/ Keith K. Hiraoka  
Presiding Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge