

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-23-0000196

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

U.S. BANK TRUST, N.A., AS TRUSTEE FOR
LSF9 MASTER PARTICIPATION TRUST, Plaintiff-Appellee, v.
CLAIRE LEVINE, aka CLAIRE GOLDSTEIN, INDIVIDUALLY;
CLAIRE GOLDSTEIN, TRUSTEE OF THE AMADEUS TRUST
UNDER DECLARATION OF TRUST ON JANUARY 24, 2000,
Defendants-Appellees, and
GERALD GOLDSTEIN, INDIVIDUALLY; GERALD GOLDSTEIN, TRUSTEE OF THE
AMADEUS TRUST UNDER DECLARATION OF TRUST ON JANUARY 24, 2000,
Defendants-Appellants, and
HAR-BRONSON DIVERSIFIED, LLC;
ASSOCIATION OF APARTMENT OWNERS OF WAILEA BEACH VILLAS;
WAILEA COMMUNITY ASSOCIATION, Defendants-Appellees, and
DOES 1 through 20, inclusive, Defendants

GERALD GOLDSTEIN, INDIVIDUALLY AND AS TRUSTEE OF THE AMADEUS
TRUST UNDER DECLARATION OF TRUST ON JANUARY 24, 2000,
Defendant/Cross-Claim Plaintiff-Appellant, v.
ASSOCIATION OF APARTMENT OWNERS OF WAILEA BEACH VILLAS,
Defendant/Cross-Claim Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 2CC191000029)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation for Dismissal of
Appeal *with Prejudice* as to the Notice of Appeal Filed March 24,
2023 (Stipulation), filed July 23, 2024, by Plaintiff-Appellee
U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation
Trust (U.S. Bank), the papers in support, and the record, it
appears that (1) the appeal has been docketed and the filing fees
have been paid; (2) under Hawai'i Rules of Appellate Procedure

(HRAP) Rule 42(a), the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs on appeal "with the exception of U.S. BANK's attorney's fees and costs to be added to the subject loan balance as permitted under the subject note and mortgage"; (3) the Stipulation is dated and signed by counsel for all parties appearing in the appeal; and (4) dismissal is authorized by HRAP Rule 42(b), rather than HRAP Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice, under HRAP Rule 42(b). The parties shall bear their own attorneys' fees and costs on appeal "with the exception of U.S. BANK's attorney's fees and costs to be added to the subject loan balance as permitted under the subject note and mortgage."

DATED: Honolulu, Hawai'i, August 1, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge