

**Electronically Filed
Intermediate Court of Appeals
CAAP-23-0000119
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NO. CAAP-23-0000119

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

HO'OPONOPONO O MĀKENA, a non-profit corporation;
MAUI TOMORROW FOUNDATION, a non-profit corporation; and
MĀLAMA KAKANILUA, a non-profit corporation,
Plaintiffs-Appellants,

vs.

MAUI PLANNING COMMISSION; COUNTY OF MAUI; and H2R, LLC, a
limited liability company, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 2CCV-22-0000125)

ORDER

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

Upon consideration of the Joint Motion to Dismiss
Appeal with Prejudice filed on February 14, 2025 (**Motion**), by
Plaintiffs-Appellants Ho'oponopono O Mākena, Maui Tomorrow

Foundation, and Mālama Kakanilua's (**Appellants**), which the court construes as Appellants' motion to dismiss, the papers in support, and the record, it appears that:

- (1) the appeal has been docketed; and
- (2) no opposition to the motion has been filed.

IT IS HEREBY ORDERED that the Motion is granted, and the appeal is dismissed with prejudice pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b). The parties shall bear their own attorney's fees and costs on appeal.

DATED: Honolulu, Hawai'i, February 28, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge