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Intermediate Court of Appeals  
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NO. CAAP-24-0000842

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ASSOCIATION OF UNIT OWNERS OF 1108 AUAHI, Plaintiff-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC;  
ANAHA MANAGEMENT DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC;  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.; PACIFIC AQUASCAPES, INC.;  
ALBERT C. KOBAYASHI, INC.; GROUP BUILDERS, INC.;  
ARCHITECTURAL GLASS & ALUMINUM, INC.; COMMERCIAL PLUMBING, INC.;  
ALAKA'I MECHANICAL CORPORATION; A-AMERICAN CUSTOM FLOORING, INC.;  
BEACHSIDE ROOFING, LLC; CO-HA BUILDERS, INC., dba  
APPLIED SURFACING TECHNOLOGY; BRUCE MATSON COMPANY, INC.;  
WE PAINTING, INC.; SEAH STEEL USA, LLC; SURFACEDSIGN, INC.,  
Defendants-Appellees, and UPONOR INC.;  
UPONOR NORTH AMERICA, INC., Defendants-Appellants, and  
SCHINDLER ELEVATOR CORPORATION; Defendant-Appellee, and  
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;  
DOE CORPORATIONS 1-10; DOE ENTITIES 1-10; and  
DOE GOVERNMENTAL UNITS 1-10, Defendants

ALAKA'I MECHANICAL CORPORATION,  
Defendant/Third-Party Plaintiff-Appellee, v. TRANE U.S., INC.  
(incorrectly identified as TRANE CO.); EVAPCO, INC.;  
PURAL WATER SPECIALTY CO., INC.; FERGUSON ENTERPRISES, LLC  
(incorrectly identified as FERGUSON PLC, dba FERGUSON  
ENTERPRISES, INC., dba FERGUSON'S PLUMBING SUPPLY);  
NALCO COMPANY, LLC, dba NALCO WATER, AN ECOLAB COMPANY,  
Third-Party Defendants-Appellees, and JOHN DOES 1-10;  
JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10; and  
DOE ENTITIES 1-10, Third-Party Defendants

SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.,  
Defendant/Third-Party Plaintiff-Appellee, v.  
DESIGN 2B ACCESSIBLE, LLC; CENSEO AV + ACOUSTICS, LLC;  
PACIFIC AQUATECH, INC., Third-Party Defendants-Appellees, and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;  
DOE CORPORATIONS 1-10; and DOE ENTITIES 1-10,  
Third-Party Defendants

PACIFIC AQUATECH, INC.,  
Third-Party Defendant/Third-Party Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.,  
Defendant/Third-Party Crossclaim Defendant-Appellee

WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ,  
Third-Party Plaintiff-Appellee, v. WASA ELECTRIC SERVICES, INC.,  
Third-Party Defendant, and DOES 1-10, Third-Party Defendants

TRANE U.S., INC. (incorrectly identified as TRANE CO.),  
Third-Party Defendant/Third-Party Crossclaimant-Appellee, v.  
EVAPCO, INC.; NALCO COMPANY, LLC, dba NALCO WATER,  
AN ECOLAB COMPANY, Third-Party Crossclaim Defendants-Appellees,  
and DOE DEFENDANTS 1-10, Third-Party Crossclaim Defendants

COMMERCIAL PLUMBING, INC., Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendant/Crossclaim Defendants-Appellees, and  
UPONOR INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSON ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY), Third-Party Defendant/Crossclaim Defendant-Appellee

BRUCE MATSON COMPANY, INC., Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

BEACHSIDE ROOFING, LLC, Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

CO-HA BUILDERS, INC., dba APPLIED SURFACING TECHNOLOGY,  
Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

MAGNUSSON KLEMENCIC ASSOCIATES, INC.,  
Defendant/Crossclaimant-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC;  
ANAHA MANAGEMENT DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC;  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.; WSP USA BUILDINGS, INC.,  
aka WSP FLACK + KURTZ; ALBERT C. KOBAYASHI, INC.;  
GROUP BUILDERS, INC.; ARCHITECTURAL GLASS & ALUMINUM, INC.;  
COMMERCIAL PLUMBING, INC.; ALAKA'I MECHANICAL CORPORATION;  
A-AMERICAN CUSTOM FLOORING, INC.; BEACHSIDE ROOFING, LLC;  
CO-HA BUILDERS, INC., dba APPLIED SURFACING TECHNOLOGY;  
BRUCE MATSON COMPANY, INC.; WE PAINTING, INC.;  
SCHINDLER ELEVATOR CORPORATION,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR, INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendant/Crossclaim Defendant-Appellee, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as  
FERGUSON PLC, dba FERGUSON ENTERPRISES, INC.,  
dba FERGUSON'S PLUMBING SUPPLY); TRANE U.S., INC. (incorrectly  
identified as TRANE CO.); PURAL WATER SPECIALTY CO., INC.;  
VALVE SERVICE & SUPPLY, INC.; CENSEO AV+ACOUSTICS, LLC;  
EVAPCO, INC.; NALCO COMPANY, LLC, dba NALCO WATER,  
AN ECOLAB COMPANY; DESIGN 2B ACCESSIBLE, LLC;  
PACIFIC AQUATECH, INC.,  
Third-Party Defendants/Crossclaim Defendants-Appellees

SURFACEDSIGN, INC., Defendant/Crossclaimant-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC;  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN LLC, dba  
BENJAMIN WOO ARCHITECTS; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.; WSP USA BUILDINGS, INC.,  
aka WSP FLACK + KURTZ; ALBERT C. KOBAYASHI, INC.;  
GROUP BUILDERS, INC.; ARCHITECTURAL GLASS & ALUMINUM, INC.;  
COMMERCIAL PLUMBING, INC.; ALAKA'I MECHANICAL CORPORATION;  
A-AMERICAN CUSTOM FLOORING, INC.; BEACHSIDE ROOFING, LLC;  
CO-HA BUILDERS, INC., dba APPLIED SURFACING TECHNOLOGY;  
BRUCE MATSON COMPANY, INC.; WE PAINTING, INC.;  
SCHINDLER ELEVATOR CORPORATION,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and

HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendant/Crossclaim Defendant-Appellee, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSON ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY); TRANE U.S., INC. (incorrectly identified as TRANE CO.);  
PURAL WATER SPECIALTY CO., INC.; VALVE SERVICE & SUPPLY, INC.;  
CENSEO AV + ACOUSTICS, LLC; EVAPCO, INC.; NALCO COMPANY, LLC, dba  
NALCO WATER, AN ECOLAB COMPANY; DESIGN 2B ACCESSIBLE, LLC;  
PACIFIC AQUATECH, INC., Crossclaim Defendants/  
Third-Party Defendants-Appellees

WARD MANAGEMENT DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC,  
Defendants/Crossclaimants-Appellees, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.;  
BWA DESIGN LLC, dba BENJAMIN WOO ARCHITECTS;  
MAGNUSSON KELEMENCIC ASSOCIATES, INC.;  
WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.;  
ALBERT C. KOBAYASHI, INC.; GROUP BUILDERS, INC.;  
ARCHITECTURAL GLASS & ALUMINUM, INC.; COMMERCIAL PLUMBING, INC.;  
ALAKA'I MECHANICAL CORPORATION; A-AMERICAN CUSTOM FLOORING, INC.;  
BEACHSIDE ROOFING, LLC; CO-HA BUILDERS, INC., dba  
APPLIED SURFACING TECHNOLOGY; BRUCE MATSON COMPANY, INC.;  
WE PAINTING, INC.; SURFACEDSIGN, INC.;  
SCHINDLER ELEVATOR CORPORATION,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendant/Crossclaim Defendant-Appellee, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSON ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY); TRANE U.S., INC. (incorrectly identified as TRANE CO.);  
PURAL WATER SPECIALTY CO., INC.; VALVE SERVICE & SUPPLY, INC.;  
CENSEO AV + ACOUSTICS, LLC; EVAPCO, INC.; NALCO COMPANY, LLC, dba  
NALCO WATER, AN ECOLAB COMPANY; DESIGN 2B ACCESSIBLE, LLC;  
PACIFIC AQUATECH, INC., Crossclaim Defendants/Third-Party  
Defendants-Appellees, and JOHN DOES 1-10; JANE DOES 1-10;  
DOE PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10, and  
DOE ENTITIES 1-10, Crossclaim Defendants/Third-Party Defendants

A-AMERICAN CUSTOM FLOORING, INC.,  
Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

ARCHITECTURAL GLASS & ALUMINUM CO., INC.,  
Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

GROUP BUILDERS, INC., Defendant/Crossclaimant-Appellee, v.  
CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

SCHINDLER ELEVATOR CORPORATION,  
Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees

ALBERT C. KOBAYASHI, INC.,  
Defendant/Counterclaimant/Crossclaimant-Appellee, v.  
ASSOCIATION OF UNIT OWNERS OF 1108 AUAHI,  
Plaintiff/Counterclaim Defendant-Appellee, and  
A-AMERICAN CUSTOM FLOORING, INC.;  
ARCHITECTURAL GLASS & ALUMINUM, INC.;  
ALAKA'I MECHANICAL CORPORATION; CO-HA BUILDERS, INC., dba  
APPLIED SURFACING TECHNOLOGY; BRUCE MATSON COMPANY, INC.;  
COMMERCIAL PLUMBING, INC.; GROUP BUILDERS, INC.;  
SCHINDLER ELEVATOR CORPORATION; NALCO COMPANY, LLC, dba  
NALCO WATER, AN ECOLAB COMPANY,  
Defendants/Crossclaim Defendants-Appellees

FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSONS ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY), Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.;  
BWA DESIGN LLC, dba BENJAMIN WOO ARCHITECTS;  
MAGNUSSON KELEMENCIC ASSOCIATES, INC.;  
WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.;  
ALBERT C. KOBAYASHI, INC.; GROUP BUILDERS, INC.;  
ARCHITECTURAL GLASS & ALUMINUM, INC.; COMMERCIAL PLUMBING, INC.;  
ALAKA'I MECHANICAL CORPORATION; A-AMERICAN CUSTOM FLOORING, INC.;  
BEACHSIDE ROOFING, LLC; CO-HA BUILDERS, INC., dba

APPLIED SURFACING TECHNOLOGY; BRUCE MATSON COMPANY, INC.;  
WE PAINTING, INC.; SURFACEDSIGN, INC.;  
SCHINDLER ELEVATOR CORPORATION,  
Crossclaim Defendants-Appellees, and  
UPONOR INC.; UPONOR NORTH AMERICA, INC.,  
Crossclaim Defendants-Appellants, and  
HAWAIIAN WATER AND CHLORINATION, INC.,  
Crossclaim Defendant-Appellee, and TRANE U.S., INC. (incorrectly  
identified as TRANE CO.); PURAL WATER SPECIALTY CO., INC.;  
VALVE SERVICE & SUPPLY, INC.; CENSEO AV + ACOUSTICS, LLC;  
EVAPCO, INC.; NALCO COMPANY, LLC, dba NALCO WATER,  
AN ECOLAB COMPANY; DESIGN 2B ACCESSIBLE, LLC;  
PACIFIC AQUATECH, INC.,  
Crossclaim Defendants/Third-Party Defendants-Appellees, and  
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;  
DOE CORPORATIONS 1-10, and DOE ENTITIES 1-10,  
Crossclaim Defendants/Third-Party Defendants

ALAKA'I MECHANICAL CORPORATION,  
Defendant/Crossclaimant-Appellee, v.  
CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR, INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSON ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY), Defendant/Crossclaim Defendant-Appellee

ALAKA'I MECHANICAL CORPORATION,  
Defendant/Crossclaimant-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC; ANAHA MANAGEMENT  
DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC; SOLOMON, CORDWELL,  
BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.;  
ALBERT C. KOBAYASHI, INC.,  
Defendants/Crossclaim Defendants-Appellees

PURAL WATER SPECIALTY CO., INC.,  
Third-Party Defendant/Counterclaimant-Appellee, v.  
ALAKA'I MECHANICAL CORPORATION, Third-Party  
Plaintiff/Counterclaim Defendant-Appellee

SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.,  
Defendant/Crossclaimant-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC;  
ANAHA MANAGEMENT DEVELOPMENT COMPANY, LLC; 1108 AUAHI, LLC;  
BWA DESIGN, LLC, dba BENJAMIN WOO ARCHITECTS;  
MAGNUSSON KLEMENCIC ASSOCIATES, INC.; WSP USA BUILDINGS, INC.,  
aka WSP FLACK + KURTZ; NOTKIN HAWAII, INC.;  
WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.; PACIFIC AQUASCAPES, INC.;  
ALBERT C. KOBAYASHI, INC.; GROUP BUILDERS, INC.;  
ARCHITECTURAL GLASS & ALUMINUM, INC.; COMMERCIAL PLUMBING, INC.;  
ALAKA'I MECHANICAL CORPORATION; A-AMERICAN CUSTOM FLOORING, INC.;  
BEACHSIDE ROOFING, LLC; CO-HA BUILDERS, INC., dba  
APPLIED SURFACING TECHNOLOGY; BRUCE MATSON COMPANY, INC.;  
WE PAINTING, INC.; SEAH STEEL USA, LLC; SURFACEDSIGN, INC.,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR, INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
SCHINDLER ELEVATOR CORPORATION;  
HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendants/Crossclaim Defendants-Appellees, and TRANE U.S., INC.  
(incorrectly identified as TRANE CO.); EVAPCO, INC.;  
PURAL WATER SPECIALTY CO., INC.; FERGUSON ENTERPRISES, LLC  
(incorrectly identified as FERGUSON PLC, dba FERGUSON  
ENTERPRISES, INC., dba FERGUSON'S PLUMBING SUPPLY);  
VALVE SERVICE & SUPPLY, INC.; NALCO COMPANY, LLC, dba  
NALCO WATER, AN ECOLAB COMPANY,  
Third-Party Defendants/Crossclaim Defendants-Appellees

EVAPCO, INC., Third-Party Defendant/Counterclaimant/  
Crossclaimant-Appellee, v. ALAKA'I MECHANICAL CORPORATION,  
Defendant/Third-Party Plaintiff/Counterclaim Defendant-Appellee,  
and TRANE U.S., INC. (incorrectly identified as TRANE CO.);  
PURAL WATER SPECIALTY CO., INC.; FERGUSON ENTERPRISES, LLC  
(incorrectly identified as FERGUSON PLC, dba FERGUSON  
ENTERPRISES, INC., dba FERGUSON'S PLUMBING SUPPLY);  
VALVE SERVICE & SUPPLY, INC.; NALCO COMPANY, LLC, dba  
NALCO WATER, AN ECOLAB COMPANY,  
Third-Party Defendants/Crossclaim Defendants-Appellees

HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendant/Crossclaimant-Appellee, v.  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.; BWA DESIGN, LLC, dba  
BENJAMIN WOO ARCHITECTS; MAGNUSSON KLEMENCIC ASSOCIATES, INC.;  
WSP USA BUILDINGS, INC., aka WSP FLACK + KURTZ;  
NOTKIN HAWAII, INC.; WILSON OKAMOTO CORPORATION;  
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR, INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSONS ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY), Defendants/Crossclaim Defendants-Appellees

NOTKIN HAWAII, INC., Defendant/Crossclaimant-Appellee, v.  
WARD MANAGEMENT DEVELOPMENT COMPANY, LLC; ALAKA'I MECHANICAL  
CORPORATION; COMMERCIAL PLUMBING, INC.;  
SOLOMON, CORDWELL, BUENZ & ASSOCIATES, INC.;  
BWA DESIGN, LLC, dba BENJAMIN WOO ARCHITECTS,  
Defendants/Crossclaim Defendants-Appellees, and  
UPONOR, INC.; UPONOR NORTH AMERICA, INC.,  
Defendants/Crossclaim Defendants-Appellants, and  
ALBERT C. KOBAYASHI, INC.; WSP USA BUILDINGS, INC., aka  
WSP FLACK + KURTZ; HAWAIIAN WATER AND CHLORINATION, INC.,  
Defendants/Crossclaim Defendants-Appellees, and  
TRANE U.S., INC. (incorrectly identified as TRANE CO.);  
EVAPCO, INC.; PURAL WATER SPECIALTY CO., INC.;  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSONS ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY, INC.); NALCO COMPANY, LLC, dba NALCO WATER,  
AN ECOLAB COMPANY,  
Third-Party Defendants/Crossclaim Defendants-Appellees

VALVE SERVICE & SUPPLY, INC.,  
Third-Party Defendant/Counterclaimant/Crossclaimant-Appellee, v.  
ALAKA'I MECHANICAL CORPORATION,  
Defendant/Third-Party Plaintiff/Counterclaim Defendant-Appellee,  
and TRANE U.S., INC. (incorrectly identified as TRANE CO.);  
EVAPCO, INC.; PURAL WATER SPECIALTY CO., INC.;  
FERGUSON ENTERPRISES, LLC (incorrectly identified as FERGUSON  
PLC, dba FERGUSONS ENTERPRISES, INC., dba FERGUSON'S PLUMBING  
SUPPLY); NALCO COMPANY, LLC, dba NALCO WATER, AN ECOLAB COMPANY,  
Third-Party Defendants/Crossclaim Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CCV-21-0001134)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation to Dismiss Appeal  
(Stipulation), filed February 12, 2025, by Third-Party Defendant/  
Crossclaimant-Appellant Uponor, Inc., the papers in support, and  
the record, it appears that (1) the filing fees have been paid  
and the appeal has not been docketed; (2) under Hawai'i Rules of  
Appellate Procedure (HRAP) Rule 42(b), the parties stipulate to  
dismiss the appeal and bear their own costs; (3) the Stipulation  
is signed by all appearing parties; and (4) dismissal is



authorized by HRAP Rule 42(a), because the appeal had not been docketed. Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed. The parties shall bear their own costs.

DATED: Honolulu, Hawai'i, February 19, 2025.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge