

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000645
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NO. CAAP-24-0000645

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

KONA MIKE'S SURF ADVENTURES, LLC, SURF LESSONS HAWAII LLC
dba HAWAII LIFEGUARD SURF INSTRUCTORS,
KONA ADVENTURE DIVISION, INC., and TIFANI STEGEHUIS,
Plaintiffs-Appellees, v.
DAWN N.S. CHANG and DEPARTMENT OF LAND AND NATURAL RESOURCES,
Defendants-Appellants.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3CCV-23-0000423)

ORDER APPROVING STIPULATION FOR
DISMISSAL WITH PREJUDICE OF THE APPEAL

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

Upon consideration of the March 21, 2025 Stipulation for Dismissal With Prejudice of the Appeal (**Stipulation**) filed by Defendants-Appellants Dawn N.S. Chang and Department of Land and Natural Resources (**State**), the papers in support, and the record, it appears that (1) the State and Plaintiffs-Appellees Kona Mike's Surf Adventures, LLC, Surf Lessons Hawaii LLC dba Hawaii Lifeguard Surf Instructors, Kona Adventure Division, Inc., and Tifani Stegehuis stipulate to dismiss this appeal with prejudice and each party shall bear their own attorneys' fees and costs, (2) the parties' attorneys have signed the Stipulation, (3) the appeal has not been docketed, and (4) Hawai'i Rules of Appellate Procedure Rule 42(a) provides that where an appeal has not been

docketed, "the appeal shall be dismissed upon the filing of a stipulation for dismissal signed by all the parties"

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice. Each party shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, April 7, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge