

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-24-0000567  
08-MAY-2025  
07:53 AM  
Dkt. 32 ODS**

NO. CAAP-24-0000567

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

In the Matter of the issuance of a Subpoena Duces Tecum to  
AMERICAN EXPRESS NATIONAL BANK and  
AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CASE NO. 1CSP-22-0000213)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On August 26, 2024, Intervenor-Appellants American Express National Bank and American Express Travel Related Services Company, Inc. (together, **Appellants**) filed the notice of appeal;<sup>1</sup>

(2) The statement of jurisdiction and opening brief were due on or before October 21, 2024, and November 19, 2024, respectively;

(3) Appellants failed to file either document, or request an extension of time;

(4) On November 21, 2024, the appellate clerk entered a default notice informing Appellants that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on December 2,

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<sup>1</sup> Nearly all documents filed by Appellants in this appeal are signed by Stephen J. Newman only, as Appellants' *pro hac vice* counsel. Appellants' counsel are cautioned that local counsel of record are required to sign all documents filed in a case where they are local counsel of record for counsel admitted *pro hac vice*. Rules of the Supreme Court of Hawaii Rule 1.9(d).

2024, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Appellants could request relief from default by motion; and

(5) Appellants have not taken any further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

IT IS FURTHER ORDERED that the appellate clerk shall mail a copy of this order to Appellants' local counsel of record, Ian Tapu, at his mailing address on record with the Hawai'i State Bar Association.

DATED: Honolulu, Hawai'i, May 8, 2025.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge