

**Electronically Filed
Intermediate Court of Appeals
CAAP-23-0000534
08-OCT-2025
09:07 AM
Dkt. 47 OAWST**

NO. CAAP-23-0000534

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DAVID MOSS; PAUL ANILE, Individually and as Trustee
of the Paul Anile 2002 Trust dated March 8, 2002, MICHAEL J.
VALENTINE; MICHAEL J. VALENTINE, Administrator of the Estate of
MARCIA DIANE VALENTINE aka MARCIA DIANE BALLARD VALENTINE;
and JOHN E. CASHMAN, Plaintiffs-Appellees,
and
KIMBERLY A. SHIEL and ANTHONY P. SHIEL, Plaintiffs-Appellants,
v.

BANK OF AMERICA, N.A.; JOSHUA A. BARNARD-VAUX; ROXANNE F.
BARNARD-VAUX; NEW RESIDENTIAL MORTGAGE LLC; PAUL K. STIEFEL;
SHARON E. HAWKINS; WELLS FARGO BANK, N.A.; SHALOM REZVANI LLC;
MAKAHUENA 1204 LLC, aka MAKAHUENA I204 LLC or MAKAHUENA I-204
LLC; Defendants-Appellees,
and
DOE DEFENDANTS 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIVIL NO. 5CCV-20-0000099)

ORDER

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

Upon consideration of the Stipulation for Dismissal
with Prejudice of Appeal, filed September 29, 2025, by

Defendants-Appellees Paul K. Stiefel, Sharon E. Hawkins, and Wells Fargo Bank, N.A. and Plaintiffs-Appellants Kimberly A. Shiel and Anthony P. Shiel, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties to the appeal stipulated to dismiss the appeal with prejudice, under Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b), and have addressed attorneys' fees and costs; and (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal who are not nominal parties.¹

Therefore, IT IS HEREBY ORDERED that the stipulation is approved, and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs on appeal.

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

/s/ Karen T. Nakasone
Chief Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge

¹ The parties that have not signed, Plaintiffs-Appellees David Moss, Paul Anile, Individually and as Trustee of the Paul Anile 2002 Trust dated March 8, 2002, Michael J. Valentine, Michael J. Valentine, Administrator of the Estate of Marcia Diane Valentine aka Marcia Diane Ballard Valentine, and John E. Cashman, and Defendants-Appellees Bank of America, N.A., Joshua A. Bernard-Vaux, Roxanne F. Bernard-Vaux, New Residential Mortgage LLC, Shalom Rezvani LLC, Makahuena 1204 LLC, aka Makahuena I204 LLC or Makahuena I-204 LLC did not participate in the appeal, and this court considers them nominal appellees, whose signatures are not required on a stipulation to dismiss the appeal. See HRAP Rule 2.1(b).