

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-25-000023

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

TOWD POINT MORTGAGE TRUST 2017-4, U.S. BANK NATIONAL
ASSOCIATION, AS INDENTURE TRUSTEE,
Plaintiff/Counterclaim Defendant-Appellee,
v.
LAWRENCE EMILIO CHANG; TEODORA MIHAYLOVA CHANG,
Defendants/Counterclaimants-Appellants,
and
UNITED STATES OF AMERICA; HAWAIIAN TEL FEDERAL CREDIT UNION;
THE ASSOCIATION OF OWNERS OF KAHAKA KUA aka
KAHALA KUA COMMUNITY ASSOCIATION, Defendants-Appellees,
and
JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE COREPORATIONS 1-50; DOE ENTITIES 1-50; AND
DOE GOVERNMENTAL UNITS 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CCV-22-0001191)

ORDER DISMISSING APPEAL

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

Upon consideration of the Amended Stipulation for Dismissal with Prejudice of Appeal (**Amended Stipulation**), filed February 12, 2026, by Plaintiff/Counterclaim Defendant-Appellee Towd Point Mortgage Trust 2017-4 (**Towd**), the papers in support,

and the record, it appears that (1) the appeal has been docketed; (2) Towd, Defendants/Counterclaimants/Crossclaim Defendants-Appellants Lawrence Emilio Chang and Teodora Mihaylova Chang (together, the **Changs**), Defendant/Crossclaim Defendant-Appellee United States of America, and Defendant/Crossclaim Defendant-Appellee Hawaiian Tel Federal Credit Union stipulate to dismiss the Changs' appeal with prejudice, under Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 42(b), and each party shall bear their own attorneys' fees and costs; (3) the Amended Stipulation is dated and signed by counsel for the stipulating parties, but not by counsel for Defendant/Counterclaimant/Cross-Claimant Association of Owners of Kahala Kua (**Association**); (4) no party filed a response to the Amended Stipulation; (5) the Amended Stipulation fails to demonstrate the Association is a nominal appellee that need not sign the Amended Stipulation; and (6) nonetheless, the court will construe the Amended Stipulation as an unopposed motion to dismiss the appeal, under HRAP Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the Amended Stipulation, construed as a motion to dismiss the appeal, is granted in part and denied in part as follows:

1. The appeal is dismissed with prejudice.
2. The parties shall bear their own attorneys' fees and costs.
3. All additional relief requested is denied.

DATED: Honolulu, Hawai'i, April 8, 2026.

/s/ Karen T. Nakasone
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge