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Intermediate Court of Appeals  
CAAP-26-0000056  
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NO. CAAP-26-0000056

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

IES RETAIL, LLC, Plaintiff-Appellee,  
v.  
LAHAINA PETROLEUM, LLC, Defendant-Appellant,  
and  
ALOHA PETROLEUM, LLC, Defendant-Appellee,  
and  
JOHN DOES 1-20; JANE DOES 1-20; DOE PARTNERSHIPS 1-20;  
DOE CORPORATIONS 1-20; DOE ENTITIES 1-20; AND  
DOE GOVERNMENTAL UNITS 1-20, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CASE NO. 3CCV-24-0000439)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION  
(By: Leonard, Presiding Judge, Hiraoka and Guidry, JJ.)

Upon review of the record, it appears we lack jurisdiction over Defendant-Appellant Lahaina Petroleum, LLC's appeal from the November 25, 2025 *Findings of Fact and Conclusions of Law and **Order** Granting Plaintiff IES Retail, LLC's Motion for Partial Summary Judgment on Liability for Counts I, II, and III (Regarding Purchase Option Agreements)*, Filed on August 20, 2025 [DKT. 92], because the circuit court has not entered a final, appealable order or judgment, see Hawai'i Revised Statutes (**HRS**) § 641-1(a) (2016); Hawai'i Rules of Civil Procedure Rules 54(b), 58; Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994); the Order is not appealable under the collateral-order or Forgay doctrines, see Greer v. Baker, 137 Hawai'i 249, 253, 369 P.3d 832, 836 (2016) (discussing collateral-order doctrine and

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Forgay v. Conrad, 47 U.S. 201 (1848)); and the circuit court has not granted leave for an interlocutory appeal under HRS § 641-1(b).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that all pending motions and stipulations are dismissed.

DATED: Honolulu, Hawai'i, April 16, 2026.

/s/ Katherine G. Leonard  
Presiding Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge