

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000193
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NO. CAAP-24-0000193

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

LIBERTY DIALYSIS - HAWAII, LLC,
a foreign limited liability company, and
LIBERTY DIALYSIS - NORTH HAWAII, LLC,
a foreign limited liability company, Plaintiffs-Appellees,
v.
HEALTH MANAGEMENT NETWORK, INC., a Nevada corporation, and
MULTIPLAN, INC., a New York corporation,
Defendants/Third-Party Plaintiffs-Appellants, and
HAWAII MAINLAND ADMINISTRATORS, LLC,
a foreign limited liability company, Defendant-Appellee, and
AFL HOTEL AND RESTAURANT WORKERS HEALTH AND WELFARE TRUST FUND;
HAWAII TEAMSTERS HEALTH AND WELFARE SELF-FUNDED HMO MEDICAL
PLAN; ILWU LOCAL 142 HEALTH AND WELFARE TRUST;
UFCW-HAWAII FOOD EMPLOYERS HEALTH AND WELFARE TRUST FUND;
HAWAII TEAMSTERS HEALTH AND WELFARE TRUST
SELF-FUNDED COMPREHENSIVE (PPO) MEDICAL PLAN;
PAUL A. TOM, individually; and BENEFIT PLANS SOLUTIONS, INC.,
a Hawaii corporation, Third-Party Defendants-Appellees, and
JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10;
DOE PARTNERSHIPS 1-10; and DOE ENTITIES 1-10, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CC141002275)

ORDER (1) APPROVING STIPULATION FOR DISMISSAL OF APPEAL
AS TO ILWU LOCAL 142 HEALTH AND WELFARE TRUST ONLY AND
(2) DENYING AS MOOT THE JOINT MOTION TO HOLD
APPEAL IN ABEYANCE DUE TO SETTLEMENT IN PRINCIPLE
(By: Leonard, Presiding Judge, Wadsworth and McCullen, JJ.)

Upon consideration of Defendants/Third-Party
Plaintiffs-Appellants Health Management Network, Inc. and
Multiplan, Inc. (**HMN-Multiplan**) and Third-Party Defendant-
Appellee ILWU Local 142 Health and Welfare Trust's (**ILWU Trust**)
"ILWU Local 142 Health and Welfare Trust and HMN and Multiplan's
Joint Motion to Hold Appeal in Abeyance Due to Settlement in
Principle" (**Joint Motion**), filed July 2, 2026 (Docket 124), and
"Stipulation for Dismissal of Appeal as to ILWU Local 142 Health
and Welfare Trust Only" (**Stipulation to Dismiss**), filed
August 11, 2026 (Docket 126), the papers in support, and the
record and files herein, it appears that:

- (1) On July 2, 2026, HMN-Multiplan and ILWU Trust
filed the Joint Motion requesting this court
"hold this appeal in abeyance for 60 days due to
settlement discussions between the undersigned
parties."
- (2) On August 11, 2026, HMN-Multiplan and ILWU Trust
filed the Stipulation to Dismiss pursuant to
Hawai'i Rules of Appellate Procedure (**HRAP**)
Rule 42(b);

- a. The Stipulation to Dismiss provides that "HMN-Multiplan and ILWU Trust stipulate and agree to dismiss HMN-Multiplan's appeal, but only as to Appellee ILWU Trust, and without an award of costs or attorneys' fees to any party";
- b. The Stipulation to Dismiss disposes of all HMN-Multiplan's claims against ILWU Trust;
- c. The Stipulation to Dismiss "does not dispose of or affect HMN-Multiplan's appeal or claims as to the other appellees," Third-Party Defendant-Appellee AFL Hotel and Restaurant Workers Health and Welfare Trust Fund; Third-Party Defendant-Appellee Hawaii Teamsters Health and Welfare Trust; and Third-Party Defendant-Appellee UFCW-Hawaii Food Employers Health and Welfare Trust Fund;
- d. "ILWU Trust and HMN-Multiplan each agree to bear their own costs of the appeal, as defined in the HRAP"; and
- e. The Stipulation to Dismiss is dated and signed by HMN-Multiplan's counsel and ILWU Trust's counsel.

(3) No party filed an opposition to the Stipulation to Dismiss. See HRAP Rule 27(a).

(4) This appeal was docketed on March 22, 2024.

(5) No payment is due.

The Stipulation to Dismiss complies with HRAP Rule 42(b), which provides in relevant part, "If the parties to a docketed appeal or other proceeding sign and file a stipulation for dismissal, specifying the terms as to payment of costs, and pay whatever fees are due, the case shall be dismissed upon approval by the appellate court."

Therefore, IT IS ORDERED that the Stipulation to Dismiss is approved. ILWU Trust is dismissed from this appeal, and HMN-Multiplan and ILWU Trust shall bear their own attorneys' fees and costs on appeal.

IT IS FURTHER ORDERED that the Joint Motion is denied as moot.

DATED: Honolulu, Hawai'i, August 28, 2026.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge