

**Electronically Filed
Intermediate Court of Appeals
CAAP-25-0000074
22-OCT-2026
08:45 AM
Dkt. 76 OAWST**

NO. CAAP-25-0000074

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ASSOCIATION OF UNIT OWNERS OF WAIHONUA AT KEWALO,
through its Board of Directors, Plaintiff-Appellee,
v.
KEWALO DEVELOPMENT, LLC;
A & B PROPERTIES HAWAII, LLC, (fka A&B PROPERTIES, INC.),
Defendants-Appellants,
and
HAWAIIAN DREDGING CONSTRUCTION COMPANY, INC.;
FERGUSON ENTERPRISE, LLC; COMMERCIAL PLUMBING, INC.;
UPONOR, INC.; DESIGN PARTNERS INCORPORATED,
Defendants-Appellees,
and
DOES 2 THROUGH 100, Defendants

KEWALO DEVELOPMENT, LLC;
A & B PROPERTIES HAWAII, LLC (aka A&B PROPERTIES, INC.),
Third-Party Plaintiffs-Appellants,
v.
PAPPAGEORGE HAYMES LTD. (aka PAPPAGEORGE HAYMES PARTNERS),
Third-Party Defendant-Appellee

UPONOR, INC., Third-Party Plaintiff-Appellee,
v.
HAWAIIAN WATER AND CHLORINATION, INC.,
Third-Party Defendant-Appellee

PAPPAGEORGE HAYMES, LTD. (aka PAPPAGEORGE HAYMES PARTNERS),
Additional Third-Party Plaintiff-Appellee,
v.
INSYNERGY ENGINEERING, INC.,
Additional Third-Party Defendant-Appellee, and
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; and DOE ENTITIES 1-10,
Additional Third-Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CCV-22-0001092)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

(By: Leonard, Presiding Judge, Guidry and Gluck, JJ.)

Upon consideration of the Stipulation for Dismissal with Prejudice of Appeal and Order (**Stipulation**), filed on October 20, 2026, by Defendants/Third-Party Plaintiffs-Appellants Kewalo Development, LLC and A & B Properties Hawaii, LLC (fka A&B Properties, Inc.), it appears that (1) the appeal has been docketed and the filing fees have been paid; (2) under Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal, with each party bearing its own attorneys' fees and costs; and (3) the Stipulation is signed by counsel for all parties.

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 incurred on appeal.

DATED: Honolulu, Hawai'i, October 22, 2026.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Kimberly T. Guidry
Associate Judge

/s/ Daniel M. Gluck
Associate Judge