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Intermediate Court of Appeals
CAAP-26-0000620
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NO. CAAP-26-0000620

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAIʻI

KEVIN J. HAYES, SR. and TOMOKO MATSUMOTO,
Petitioners-Appellees,
v.
KINGSBARN REALTY CAPITAL, LLC, Respondent-Appellant.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CSP-26-0000112)

ORDER APPROVING STIPULATION TO DISMISS APPEAL
(By: Wadsworth, Presiding Judge, McCullen and Gluck, JJ.)

Upon consideration of the Joint Stipulation to Dismiss Appeal (**Stipulation**), filed October 9, 2026, by Respondent-Appellant Kingsbarn Realty Capital, LLC, the papers in support, and the record, it appears that:

(1) Under Hawaiʻi Rules of Appellate Procedure (**HRAP**) Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs on appeal;

(2) The Stipulation is dated and signed by counsel for all appearing parties;

(3) The appeal has not been docketed; and

(4) HRAP Rule 42(b) governs dismissal of docketed appeals, whereas HRAP Rule 42(a) authorizes dismissal before an appeal is docketed.

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice, pursuant to

HRAP Rule 42(a). The parties shall bear their own attorneys' fees and costs on appeal.

DATED: Honolulu, Hawaiʻi, October 30, 2026.

/s/ Clyde J. Wadsworth
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Daniel M. Gluck
Associate Judge