

NO. CAAP-19-0000645

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

KELLY WAIIAU, Individually and Guardian Prochein Ami of MINOR BOY 1, RAQUEL BALGA; ROMAINE DEBBIE CASTRO, as Personal Representative of the Estate of AMOS KEN AGLIAM, Plaintiffs-Appellants, v. HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY, INC.; FIRST INSURANCE COMPANY OF HAWAII, LTD.; GENERAL STAR INDEMNITY COMPANY; NORTH AMERICAN CAPACITY INSURANCE COMPANY, Defendants-Appellees, and JOHN DOES 1-10; JANE DOES 1- 10; DOE PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10; ROE "NON-PROFIT" CORPORATIONS 1- 10; and ROE GOVERNMENTAL ENTITIES 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 18-1-123K)

ORDER APPROVING STIPULATION TO DISMISS APPEAL
(By: Ginoza, Chief Judge, Chan and Hiraoka, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal Without Prejudice, filed September 23, 2019, both in camera and publicly, by Plaintiffs-Appellants Kelly Waiiau, Individually and Guardian Prochein Ami of Minor Boy 1, Raquel Balga, and Romaine Debbie Castro, as Personal Representative of the Estate of Amos Ken Agliam (Appellants), the papers in support, and the record, it appears that (1) the parties stipulate to dismiss the appeal without prejudice; (2) Appellants filed identical versions of the stipulation to dismiss the appeal in camera at docket 7 and publicly at docket 9; (3) the

stipulation is dated and signed by counsel for all parties appearing in the appeal; and (4) because the appeal has been docketed, dismissal of the appeal is authorized by Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved under HRAP Rule 42(b) and the appeal is dismissed.

IT IS FURTHER ORDERED that the appellate clerk shall take steps to remove the in camera designation for the stipulation filed at docket 7 and change the docket code to "OT" (Other).

DATED: Honolulu, Hawai'i, January 27, 2020.

Chief Judge

Associate Judge

Associate Judge