IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SUNTERA, THE SOLAR ELECTRIC CHARIOT COMPANY, a Hawaii corporation, Plaintiff-Appellant,

VS.

THOMAS QUINN; et al., HAWAII ELECTRIC VEHICLE DEMONSTRATION PROJECT; BARBARA KIM-STANTON; HERBERT HENDRICKSON; DAVID YUN; HIGH TECHNOLOGY DEVELOPMENT CORPORATION, a Hawaii corporation; KENNETH KATO; RICHARD MOODY; MAUARICE KAYA; STATE OF HAWAII OFFICE OF ATTORNEY GENERAL; ARGYLE TELEVISION COMPANY; CATHERINE CRUZ; JOHN DOES AND JANE ROES, INDIVIDUALS 1 THROUGH 12; DOE PARTNERSHIPS 1 THROUGH 12; DOE CORPORATIONS 1 THROUGH 12; DOE MUNICIPAL CORPORATIONS 1 THROUGH 5 AND STATE AGENCIES 1 THROUGH 5, Defendants.

McCORRISTON MILLER MUKAI MacKINNON, LLP, Movant-Appellee,

and

ANTHONY P. LOCRICCHIO, General Counsel, CEO and President of Suntera and as Agent for the Estate of Jonathan Tennyson and its Trustees Joanne T. McKay and Jane T. Sward, Appellee.

APPEAL FROM THE FIRST CIRCUIT COURT (CIV. NO. 96-3580-08)

ORDER

(By: Levinson, J.)

Upon consideration of McCorriston Miller Mukai MacKinnon's motion to dismiss the appeal of Appellant Suntera, the Solar Electric Chariot Company, Inc., the papers in support, and the records and files herein, it appears that this court granted Appellant Suntera's motion to withdraw its appeal. Therefore,

IT IS HEREBY ORDERED that McCorriston Miller Mukai McKinnon's motion is denied as moot.

DATED: Honolulu, Hawai'i, December 11, 2002.

STEVEN H. LEVINSON Associate Justice