

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28346

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

KHAMAKAHO
CIRK APPEL ET JNE COURTS
STATE OF HAWAII

2007 DEC 13 PM 2:33

FILED

IN THE MATTER OF UNITED PUBLIC WORKERS, AFSCME, LOCAL 646,
AFL-CIO, Complainant-Appellant-Appellant, and JAMES
PROPOTNICK, ACTING DIRECTOR, DEPARTMENT OF PUBLIC
SAFETY, STATE OF HAWAI'I, and MARIE LADERTA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES, STATE OF HAWAI'I,
Respondents-Appellees-Appellees, and HAWAII LABOR
RELATIONS BOARD, Agency-Appellee-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(Civ. No. 06-1-1316)

ORDER GRANTING UPW'S
MOTION TO WITHDRAW AND DISMISS APPEAL

(By: Watanabe, Presiding J., Foley and Fujise, J.J.)

Upon consideration of Complainant-Appellant-Appellant
United Public Workers, AFSCME, Local 646, AFL-CIO's (UPW) Motion
to Withdraw and Dismiss Appeal filed on December 10, 2007, the
papers in support, and the records and files herein, it appears
that: (1) on or about November 30, 2007, UPW and Respondents-
Appellees-Appellees James Propotnick, Acting Director, Department
of Public Safety, State of Hawai'i, and Marie Laderta, Director,
Department of Human Resources, State of Hawai'i (Employer)
entered into a Settlement Agreement to resolve the underlying
controversy to the appeal; and (2) pursuant to the Settlement
Agreement, UPW has agreed to withdraw this appeal. Now,
therefore,

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IT IS HEREBY ORDERED that the Motion to Withdraw and Dismiss Appeal is granted, and the appeal is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b). The parties shall bear their own appellate fees and costs.

DATED: Honolulu, Hawai'i, December 13, 2007.

On the motion:

Herbert R. Takahashi,
Danny J. Vasconcellos, and
Rebecca L. Covert (Takahashi
Vasconcellos & Covert) for UPW.

Corinne K. A. Watanabe

Presiding Judge

Clifford R. Foley

Associate Judge

Anna R. H. Jizim

Associate Judge