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Intermediate Court of Appeals
CAAP-14-0000495
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NO. CAAP-14-0000495

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

U.S. BANK NATIONAL ASSOCIATION, as
Indenture Trustee of the GMACM HOME EQUITY LOAN TRUST 2005-HE3,
Plaintiffs-Appellees,

v.

BANK OF AMERICA NATIONAL ASSOCIATION
as Successor by Merger to LASALLE BANK NATIONAL ASSOCIATION,
as Trustee Under the Trust Agreement for the Structured Asset
Investment Loan Trust Series 2004-3, BEATLE JUICE, LLC,
Defendants-Appellees,

and

JOHN DOES 1-20, JANE DOES 1-20,
DOE PARTNERSHIPS 1-20, DOE CORPORATIONS 1-20,
DOE ENTITIES 1-20, and DOE GOVERNMENTAL UNITS 1-20, Defendants,
and

NORBERTO RAMELB ESCALANTE and NELIE BANIAGA ESCALANTE,
Applicants for Intervention-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 11-1-0641-03)

ORDER APPROVING THE OCTOBER 23, 2014
STIPULATION OF VOLUNTARY DISMISSAL OF APPEAL
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation of Voluntary
Dismissal of Appeal and Order, filed by Applicants for
Intervention-Appellants Norberto Ramelb Escalante and Nelie
Baniaga Escalante (**Appellants**), through counsel Daniel J.
O'Meara, on October 23, 2014, and the record, it appears that (1)
Appellants and Plaintiff-Appellee U.S. Bank National Association,

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

as Indenture Trustee of the GMACM Home Equity Loan Trust 2005-HE3, through counsel Christopher J. Muzzi, Defendant-Appellee Bank of America National Association as Successor Trustee by Merger to LaSalle Bank National Association, as Trustee Under the Trust Agreement for the Structured Asset Investment Loan Trust Series 2004-3, through counsel Carlos Perez-Mesa, and Defendant-Appellee Beatle Juice, LLC, through counsel Steven J. Kim, stipulate to dismiss the appeal; (2) the attorneys for the parties have signed the stipulation; (3) the stipulation provides that "the parties [are] to bear their own individual costs and their own individual attorney's fees"; (4) no fees are due; and (5) Hawai'i Rules of Appellate Procedure Rule 42(b) provides, "If the parties to a docketed appeal or other proceeding sign and file a stipulation for dismissal, specifying the terms as to payment of costs, and pay whatever fees are due, the case shall be dismissed upon approval by the appellate court[.]"

Therefore, IT IS HEREBY ORDERED that Appeal No. CAAP-14-0000495 is dismissed. The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, November 12, 2014.



Chief Judge


Associate Judge


Associate Judge