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Intermediate Court of Appeals  
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NO. CAAP-19-0000113

IN THE INTERMEDIATE COURT OF APPEALS

STATE OF HAWAII

EMI M. TANAKA, Claimant-Appellant, v.  
PACIFIC SOUVENIR GROUP, INC., C/O PROSERVICE  
HAWAII-HRO DIV., Employer-Appellee,  
and  
HEADLAND INSURANCE COMPANY, Insurance Carrier-Appellee,  
and  
PROSERVICE HAWAII, Insurance Adjuster-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
(CASE NO. AB 2015-323; DCD NO. 2-14-02233)

ORDER GRANTING STIPULATION TO DISMISS APPEAL  
(By: Ginoza, C.J., Hiraoka and Wadsworth, JJ.)

Upon consideration of the "Stipulation to Dismiss with Prejudice Pursuant to Rule 42(b) HRAP" filed on September 28, 2021, by Emi M. Tanaka, Claimant-Appellant (Appellant), Pacific Souvenir Group, Inc., c/o Proservice Hawaii-HRO DIV., Employer-Appellee, Headland Insurance Co., Insurance Carrier-Appellee, and Proservice Hawaii, Insurance Adjuster-Appellee, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b); (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal, but it does not specify the terms as to payment of costs; and (4) nonetheless, the court will construe the stipulation as Appellant's motion to dismiss the appeal under HRAP Rule 42(b), and grant the requested relief.

**NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS OR THE PACIFIC REPORTER**

Therefore, IT IS HEREBY ORDERED that the motion is granted and the appeal is dismissed with prejudice.

DATED: Honolulu, Hawai'i, October 15, 2021.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge