

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-20-0000534  
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NOS. CAAP-20-0000534 AND CAAP-20-0000535

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

**CAAP-20-0000534**

SPENCER JAMES BEVILL; NANCY LYNN BEVILL, and  
BEVILL FAMILY TRUST, Plaintiffs-Appellees, v.  
FRANK MAURIZIO; PHIL SCHUTTE; BEVERLY SCHUTTE;  
BRUCE "SKIP" BLOUGH; MIKE PREISS; CONNIE SCHNITKER;  
PETE HILL; DARREL BORLING; ASSOCIATION OF APARTMENT OWNERS OF  
KE NANI KAI, an unincorporated condominium association;  
THE BOARD OF DIRECTORS FOR KE NANI KAI, in their official  
capacity and personally, Defendants-Appellees,  
JOHN DOES 1-100; JANE DOES 1-100; DOE PARTNERSHIPS 1-100;  
and DOE CORPORATIONS 1-100, Defendants,  
MILTON M. MOTOOKA AND MOTOOKA YAMAMOTO REVERE, LLLC, F.K.A.  
MOTOOKA & YAMAMOTO, LLLC, F.K.A. MOTOOKA & ROSENBERG, LLLC,  
N.K.A. MOTOOKA ROSENBERG LAU & OYAMA, LLLC, Appellants,  
MYLES T. YAMAMOTO, ESQ., Real Party In Interest-Appellee  
(CASE NO. 2CC081000293)

SPENCER JAMES BEVILL; NANCY LYNN BEVILL; and  
BEVILL FAMILY TRUST, Plaintiffs-Appellees, v.  
ASSOCIATION OF APARTMENT OWNERS OF KE NANI KAI,  
an unincorporated condominium association;  
THE BOARD OF DIRECTORS FOR KE NANI KAI, in their official  
capacity and personally, Defendants-Appellees,  
JOHN DOES 1-100; JANE DOES 1-100; DOE PARTNERSHIPS 1-100;  
and DOE CORPORATIONS 1-100, Defendants  
(CASE NO. 2CC121000790)

AND

**CAAP-20-0000535**

SPENCER JAMES BEVILL; NANCY LYNN BEVILL; and  
BEVILL FAMILY TRUST, Plaintiffs-Appellants, v.  
FRANK MAURIZIO; PHIL SCHUTTE; BEVERLY SCHUTTE;  
BRUCE "SKIP" BLOUGH; MIKE PREISS; CONNIE SCHNITKER;  
PETE HILL; DARREL BORLING; ASSOCIATION OF APARTMENT OWNERS  
OF KE NANI KAI, an unincorporated condominium association;  
THE BOARD OF DIRECTORS FOR KE NANI KAI, in their official  
capacity and personally, Defendants-Appellees,

JOHN DOES 1-100; JANE DOES 1-100; DOE PARTNERSHIPS 1-100;  
and DOE CORPORATIONS 1-100, Defendants,  
MYLES T. YAMAMOTO, ESQ., Real Party In Interest-Appellee  
(CASE NO. 2CC081000293)

SPENCER JAMES BEVILL; NANCY LYNN BEVILL; and  
BEVILL FAMILY TRUST, Plaintiffs-Appellants, v.  
ASSOCIATION OF APARTMENT OWNERS OF KE NANI KAI,  
an unincorporated condominium association;  
THE BOARD OF DIRECTORS FOR KE NANI KAI, in their official  
capacity and personally, Defendants-Appellees,  
JOHN DOES 1-100; JANE DOES 1-100; DOE PARTNERSHIPS 1-100;  
and DOE CORPORATIONS 1-100, Defendants  
(CASE NO. 2CC121000790)

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT

ORDER APPROVING IN PART STIPULATION  
FOR DISMISSAL OF CONSOLIDATED APPEALS

(By: Hiraoka, Presiding Judge, Wadsworth and Nakasone, JJ.)

Upon consideration of the Stipulation for Dismissal of Consolidated Appeals (Stipulation), filed March 9, 2021, by Real Party in Interest-Appellee Myles T. Yamamoto, the papers in support, and the record, it appears that (1) this consolidated appeal has been docketed; (2) the parties stipulate to dismiss the appeals in this consolidated appeal without prejudice and bear their own costs on appeal; (3) the Stipulation is dated and signed by counsel for all parties appearing in the appeals; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the Stipulation is approved in part and the appeal is dismissed. The parties shall bear their own costs.

DATED: Honolulu, Hawai'i, March 11, 2021.

/s/ Keith K. Hiraoka  
Presiding Judge

/s/ Clyde J. Wadsworth  
Associate Judge

/s/ Karen T. Nakasone  
Associate Judge