

NO. 29919

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALBERTA S. DEJETLEY; JOHN R. DELA CRUZ;
 DEBORAH YOOKO DELA CRUZ; LAURIE ANN DELIMA;
 ROY Y.H. DELIMA; MICHAEL "PHOENIX" DUPREE;
 GAREK PAUL ELIGADO; SHEILA A. ELIGADO; LAWRENCE G. ENDRINA;
 DARLENE JANICE ENDRINA; REYNOLD MASAJI GIMA;
 BRUCE HARVEY; JENNIFER PHILOMENA LICHTER; RON MCOMBER;
 PHYLLIS S. MCOMBER; SHERRI MORA; JOHN W. ORNELLAS;
 GAIL REINER FRENCH; NEAL S. TAMASHIRO;
 TOM URPANIL JR.; and BEVERLY ZIGMOND,
 Petitioners/Plaintiffs-Appellants,

vs.

SOLOMON P. KAHO'OHALAHALA,
 Respondent/Defendant-Appellee.

JEAN R. KIKUMOTO
 CLERK APPELLATE COURTS
 STATE OF HAWAII

2010 APR -6 AM 8:45

FILED

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
 (CIV. NO. 08-1-0678)

ORDER DISMISSING LAWRENCE G. ENDRINA
AND DARLENE JANICE ENDRINA
 (By: Acoba, J. for the court¹)

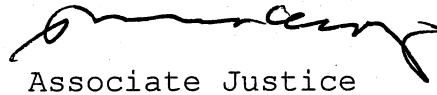
Upon consideration of the Stipulation to Dismiss Lawrence G. Endrina and Darlene Janice Endrina as Petitioners-Plaintiffs-Appellants and the record herein, it appears that, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b), this court may dismiss a case, *inter alia*, "[i]f the parties to a docketed appeal . . . sign and file a stipulation for dismissal, . . . but no mandate or other process shall issue[.]" Therefore,

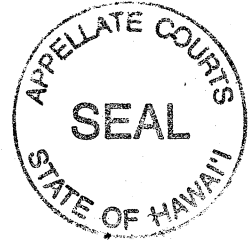
¹ Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.

IT IS HEREBY ORDERED that pursuant to HRAP Rule 42(b), Lawrence G. Endrina and Darlene Janice Endrina are dismissed as Petitioners-Plaintiffs-Appellants herein, with each party to bear its own costs, attorneys' fees and litigation expenses.

DATED: Honolulu, Hawai'i, April 6, 2010.

FOR THE COURT:


Associate Justice



Kenneth R. Kupchak,
Robert H. Thomas, and
Elizabeth L. Burroughs
for Petitioners-Plaintiffs-
Appellants.

Philip H. Lowenthal and
Benjamin E. Lowenthal for
Respondent-Defendant-
Appellee.