

NO. 29942

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

BILL H. APANA, as Personal Representative of the Estate
of CORRINE APANA, Plaintiff-Appellant/Cross-Appellee,

vs.

TIG INSURANCE COMPANY, Defendant-Appellee/Cross-Appellant.

CERTIFIED QUESTION FROM THE UNITED STATES COURT
OF APPEALS FOR THE NINTH CIRCUIT
(CIV. NOS. 08-15369 & 08-15550)

FILED
2010 APR - 7 AM 10:30
HONOLULU
COURT OF APPEALS
STATE OF HAWAII

FILED

ORDER OF DISMISSAL

(By: Moon, C.J., Nakayama, Acoba, Duffy,
Recktenwald, JJ.)

Upon consideration of the "Stipulation for Dismissal with Prejudice of All Claims Against All Parties," submitted to this court on March 31, 2010, and the "Motion for Extension of Time to File Opening Brief and/or for Time to Obtain Withdrawal of Certified Question by Ninth Circuit," also submitted to this court on March 31, 2010, we accept the stipulation as a motion to dismiss the above-captioned certified question case and, based on the dismissal of the underlying matter by the Ninth Circuit (as evinced by Exhibit "D" attached to the motion for extension of time),

IT IS HEREBY ORDERED that the above-captioned matter is dismissed.

DATED: Honolulu, Hawai'i, April 7, 2010.

Joe P. Moss, for plaintiff-
appellant/cross appellee

J. Patrick Gallagher,
defendant-appellee/cross-
appellant

J. P. Moon
Kim C. Nakayama
James E. Duffy, Jr.
Mark E. Recktenwald