

Electronically Filed  
Intermediate Court of Appeals  
CAAP-14-0001198  
04-MAY-2016  
08:00 AM

NO. CAAP-14-0001198

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO  
BAC HOME LOANS SERVICING, LP, Plaintiff-Appellee,  
v.

IAO LOOP PROPERTIES, LLC,  
Intervenor-Defendant-Appellant,  
and

TIMOTHY HERRICK; KAIINIOKAPUUWAI HERRICK; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS  
NOMINEE FOR COUNTRYWIDE HOME LOANS, INC.; WAILUKU  
PARKSIDE ASSOCIATION; JOHN DOES 1-50; JANE DOES 1-50;  
DOE PARTNERSHIPS 1-50; DOE CORPORATIONS 1-50;  
DOE ENTITIES 1-50; AND DOE GOVERNMENTAL UNITS 1-50,  
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CIVIL NO. 13-1-0349(2))

ORDER APPROVING THE APRIL 27, 2016  
STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE  
(By: Nakamura, Chief Judge, Fujise and Ginoza, JJ.)

Upon consideration of the "Stipulation for Dismissal of  
Appeal With Prejudice as to the Notice of Appeal filed October  
20, 2014" (Stipulation For Dismissal), filed on April 27, 2016 by  
Plaintiff-Appellee Bank of America, N.A., Successor by Merger to  
BAC Home Loans Servicing, LP, through its counsel David B. Rosen  
and Intervenor-Defendant-Appellant Iao Loop Properties, LLC,

**NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER**

through its counsel Melodie Aduja, the papers in support, and the record, it appears that (1) the parties stipulate to dismiss the appeal pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(a), however, the appeal was docketed on December 19, 2014 and therefore the appeal may be dismissed pursuant to HRAP 42(b); (2) the Stipulation For Dismissal is dated and signed by counsel for the parties that have appeared in this appeal; and (3) the parties agree to bear their own costs and attorneys' fees on appeal.

Therefore, IT IS HEREBY ORDERED that the Stipulation For Dismissal is approved and the appeal is dismissed with prejudice. The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, May 4, 2016.

  
Craig D. Nakane  
Chief Judge

  
Richard H. Fijan  
Associate Judge

  
Mark W. King  
Associate Judge