

NO. 23503

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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THOMAS T. ENOMOTO, Plaintiff-Appellant/Cross-Appellee

vs.

WAIKIKI PLAZA HOTEL PARTNERS, BANKING CO., LTD.,  
a Hawai'i limited partnership, BRADLEY HOLDINGS, LTD.,  
a Delaware corporation, OTAKE HOLDINGS, INC., a Hawai'i  
corporation, HOTEL PARTNERS, INC., Defendants-Appellees

and

MITSUI TRUST & BANKING CO., LTD.,  
CHAD GRIFFITH, Defendants-Appellees/Cross-Appellants

and

JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50, DOE  
ENTITIES 1-50, DOE GOVERNMENTAL ENTITIES 1-50, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 97-3352)

**AMENDED**

ORDER DISMISSING APPEAL

(By: Levinson, Acting C.J., Nakayama,  
Ramil, and Acoba, JJ., and Circuit Judge  
Wilson, in Place of Moon, C.J., Recused<sup>1</sup>)

Upon review of the record, it appears that: (1) this  
court informed Cross-Appellants Mitsui Trust & Banking Co., Ltd.  
and Chad Griffith, and Appellant Thomas Enomoto, by letters dated  
February 12, 2001 and March 2, 2001, respectively, that the time  
for filing their respective opening briefs expired on  
December 15, 2000 and that, pursuant to Rule 30 of the Hawai'i

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<sup>1</sup> The March 21, 2001 "Order Dismising Appeal" listed, and,  
therefore, was inadvertently signed by Chief Justice Moon, who was recused  
from the case, rather than by substitute justice Wilson, who was assigned as a  
substitute justice on October 4, 2000.

Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal; (2) by letter dated February 15, 2001, cross-appellants informed the court that they had no objections to dismissal of the cross-appeal if the appeal is also dismissed; (3) by letter dated March 6, 2001, appellant informed the court that he had no objections to dismissal of the appeal and cross-appeal herein. Therefore,

IT IS HEREBY ORDERED that the appeal and cross-appeal are dismissed.

DATED: Honolulu, Hawai'i, March 28, 2001.