

NO. 26139

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GILBERT M. MEYER and CAROL M. MEYER, Plaintiffs-Appellees

vs.

ROGER McGEE and ADELE McGEE, Defendants-Appellants

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 02-1-0102K)

ORDER DENYING PLAINTIFFS-APPELLEES GILBERT M.
MEYER AND CAROL M. MEYER'S MOTION TO DISMISS APPEAL
(By: Duffy, J. for the court¹)

Upon consideration of Plaintiffs-Appellees Gilbert M. Meyer and Carol M. Meyer's motion to dismiss the appeal of Defendants-Appellants Roger McGee and Adele McGee and for award of attorneys' fees and costs, the papers in support and opposition, and the records and files herein,

IT IS HEREBY ORDERED that the motion to dismiss is denied without prejudice to Appellees presenting any arguments in the answering brief.

IT IS FURTHER ORDERED that the request for attorneys' fees and costs is denied.

DATED: Honolulu, Hawai'i, April 27, 2004.

Derek R. Kobayashi
for plaintiffs-appellees
on the motion

FOR THE COURT:

Francis L. Jung
(Jung & Vassar) and
Roy Anderson for
defendants-appellants
in opposition

Associate Justice

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