

NO. 28250
IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-
Plaintiff-Appellant,

v.

COUNTY OF HAWAI'I; STEPHEN K. YAMASHIRO;
MICHAEL BEN; DONNA FAY K. KIYOSAKI; GEORGE YOSHIDA;
MILTON D. PAVAO; C.W. MAINTENANCE INC.; JULIA A. PAQUIN,
dba PACIFIC ALL AMERICAN; SPARKLE CLEANING; DOUGLAS A. GASKIN
dba DESIGN LANDSCAPE MGMT.; T. KOBAYASHI YARD MAINTENANCE;
and JOHN DOES 1-10; et al., Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIV. NO. 98-0244 (HILO))

ORDER DISMISSING APPEAL

(By: Recktenwald, C.J., Watanabe and Nakamura, JJ)

Upon consideration of Plaintiff-Appellant United Public
Workers, AFSCME, Local 646, AFL-CIO's motion to dismiss the
appeal, the papers in support, and the records and files herein,
it appears that: (1) the parties have reached a settlement, which
was approved by the Circuit Court of the Third Circuit; (2) as
part of the settlement agreement, Appellant is moving to dismiss
its appeal pursuant to HRAP Rule 42(b). Therefore,

IT IS HEREBY ORDERED that Appellant's motion to dismiss
the appeal is granted, and this appeal is dismissed pursuant to

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

HRAP Rule 42(b). Each party shall bear its own attorney's fees and costs.

DATED: Honolulu, Hawai'i, November 5, 2007.



Chief Judge



Associate Judge



Associate Judge