

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28346

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

KHAMAKAHO  
CIRK APPEL ET JNE COURTS  
STATE OF HAWAII

2007 DEC 13 PM 2:33

FILED

IN THE MATTER OF UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO, Complainant-Appellant-Appellant, and JAMES PROPOTNICK, ACTING DIRECTOR, DEPARTMENT OF PUBLIC SAFETY, STATE OF HAWAI'I, and MARIE LADERTA, DIRECTOR, DEPARTMENT OF HUMAN RESOURCES, STATE OF HAWAI'I, Respondents-Appellees-Appellees, and HAWAII LABOR RELATIONS BOARD, Agency-Appellee-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(Civ. No. 06-1-1316)

ORDER GRANTING UPW'S  
MOTION TO WITHDRAW AND DISMISS APPEAL

(By: Watanabe, Presiding J., Foley and Fujise, J.J.)

Upon consideration of Complainant-Appellant-Appellant United Public Workers, AFSCME, Local 646, AFL-CIO's (UPW) Motion to Withdraw and Dismiss Appeal filed on December 10, 2007, the papers in support, and the records and files herein, it appears that: (1) on or about November 30, 2007, UPW and Respondents-Appellees-Appellees James Propotnick, Acting Director, Department of Public Safety, State of Hawai'i, and Marie Laderta, Director, Department of Human Resources, State of Hawai'i (Employer) entered into a Settlement Agreement to resolve the underlying controversy to the appeal; and (2) pursuant to the Settlement Agreement, UPW has agreed to withdraw this appeal. Now, therefore,

IT IS HEREBY ORDERED that the Motion to Withdraw and Dismiss Appeal is granted, and the appeal is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b). The parties shall bear their own appellate fees and costs.

DATED: Honolulu, Hawai'i, December 13, 2007.

On the motion:

Herbert R. Takahashi,  
Danny J. Vasconcellos, and  
Rebecca L. Covert (Takahashi  
Vasconcellos & Covert) for UPW.

*Corinne K. A. Watanabe*

Presiding Judge

*Clifford R. Foley*

Associate Judge

*Alana A. K. Jizim*

Associate Judge