NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

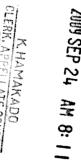
NO. 29878

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

BOWEN GOTO, Appellant-Appellant,

v.



EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAI'I and BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAI'I, Appellees-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CIVIL NO. 08-1-1575)

ORDER

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

Upon consideration of Appellant-Appellant Bowen Goto's Notice of Withdrawal of Appeal, the papers in support, and the records and files herein, it appears that the parties have settled this matter, and Appellant wishes to withdraw the appeal. Therefore,

IT IS HEREBY ORDERED that the Notice of Withdrawal of Appeal is approved, and the appeal is dismissed.

DATED: Honolulu, Hawaiʻi, September 24, 2009.

Cun M. Nobemuca

Orinne K. a. Watanale

Associate Judge

Associate Judge