

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Westridge Lending REIT, LLC v. Abracadabra LLC

Westridge Lending · No. CAAP-XX-XXXXXXX · Decided April 8, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals approved the parties’ stipulation to dismiss the appeal with prejudice. The court ordered the parties to bear their own attorneys’ fees and costs under Hawai‘i Rules of Appellate Procedure Rule 42(b).

CASE DETAILS

|                       |                                                                                                              |
|-----------------------|--------------------------------------------------------------------------------------------------------------|
| COURT                 | Intermediate Court of Appeals of the State of Hawai‘i                                                        |
| WRITING FOR THE COURT | Karen T. Nakasone; Clyde J. Wadsworth; Kimberly T. Guidry                                                    |
| JURISDICTION          | Intermediate Court of Appeals of the State of Hawai‘i                                                        |
| DECIDED               | April 8, 2026                                                                                                |
| DOCKET                | CAAP-XX-XXXXXXX                                                                                              |
| DISPOSITION           | dismissed                                                                                                    |
| PROCEDURAL POSTURE    | Appeal dismissed pursuant to the parties' stipulation under Hawai‘i Rules of Appellate Procedure Rule 42(b). |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                              |
| PARTIES               | Westridge Lending REIT, LLC, Abracadabra LLC, Michael S. Baskin, Paia Management Inc.                        |

TOPICS

- appellate procedure
- civil procedure
- costs

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the court should approve the parties' stipulation to dismiss the docketed appeal with prejudice under Hawai‘i Rules of Appellate Procedure Rule 42(b).

HOLDINGS

1. The court approved the parties' stipulation and dismissed the appeal with prejudice because the appeal had been docketed, the parties stipulated to dismissal under Hawai'i Rules of Appellate Procedure Rule 42(b), and counsel for all appearing parties signed the stipulation.
2. The parties were ordered to bear their own attorneys' fees and costs.

#### KEY QUOTATIONS

*"Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice."* (at 2)

#### FACTUAL BACKGROUND

The opinion contains no substantive factual findings concerning the underlying dispute. The parties filed a stipulation to dismiss the docketed appeal with prejudice, and the stipulation was signed by counsel for all appearing parties.

#### PROCEDURAL HISTORY

Westridge Lending REIT, LLC appealed from the Circuit Court of the Second Circuit. After the appeal was docketed, the appearing parties stipulated to dismissal with prejudice, with each side bearing its own attorneys' fees and costs. The Intermediate Court of Appeals approved the stipulation and dismissed the appeal.

#### DISPOSITION

dismissed

#### OPINION

Westridge Lending Reit, LLC v. Abracadabra LLC

PER CURIAM.

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

Electronically Filed Intermediate Court of Appeals

CAAP-XX-XXXXXXX

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NO. CAAP-XX-XXXXXXX

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

WESTRIDGE LENDING REIT, LLC, Plaintiff-Appellant, v.

ABRACADABRA LLC; MICHAEL S. BASKIN; and PAIA MANAGEMENT INC.,

Defendants-Appellants, and JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;

DOE CORPORATIONS 1-50; DOE ENTITIES 1-50; and

DOE GOVERNMENTAL UNITS 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT

(CASE NO. 2CCV-XX-XXXXXXX)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

(By: Nakasone, Chief Judge, Wadsworth and Guidry, JJ.) Upon consideration of the Stipulation for Dismissal of Appeal (Stipulation), filed February 4, 2026, by Defendants- Appellants Abracadabra LLC, Michael S. Baskin and Paia Management Inc., the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) under Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and bear their own fees and NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER costs; and (3) the Stipulation is signed by counsel for all appearing parties. Therefore, IT IS HEREBY ORDERED that the Stipulation is approved and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs. DATED: Honolulu, Hawai'i, April 8, 2026. /s/ Karen T. Nakasone Chief Judge /s/ Clyde J. Wadsworth Associate Judge /s/ Kimberly T. Guidry Associate Judge 2