

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Bui v. Hovsepian

Bui · No. CAAP-25-0000416 · Decided June 17, 2026

SUMMARY

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

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Per Curiam; Karen T. Nakasone, Chief Judge; Clyde J. Wadsworth, Associate Judge; Daniel M. Gluck, Associate Judge
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	June 17, 2026
DOCKET	CAAP-25-0000416
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs/counterclaim defendants appealed from the District Court of the Second Circuit, Lahaina Division. The parties stipulated to dismissal of the appeal with prejudice, and the Intermediate Court of Appeals approved the stipulation.
PRECEDENTIAL VALUE	Nonprecedential; the document is marked not for publication in the West's Hawai‘i Reports and Pacific Reporter.
PARTIES	Tuan Xuan Bui, My-Kim T. Bui v. Thomas D. Hovsepian

TOPICS

- appellate procedure
- costs
- attorney fees
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the parties' stipulation satisfied the requirements for dismissal of a docketed appeal under Hawai'i Rules of Appellate Procedure Rule 42(b).

HOLDINGS

1. The court approved the parties' signed stipulation for dismissal with prejudice and dismissed the appeal.

FACTUAL BACKGROUND

The opinion contains no substantive factual findings. It concerns a stipulated dismissal of a docketed appeal, with the parties agreeing to bear their own attorneys' fees and costs on appeal.

PROCEDURAL HISTORY

The appeal was docketed in the Intermediate Court of Appeals. On May 22, 2026, the appellants filed a stipulation for dismissal with prejudice, signed by counsel for all parties, agreeing that each party would bear its own appellate fees and costs. The court approved the stipulation and dismissed the appeal under Hawai'i Rules of Appellate Procedure Rule 42(b).

DISPOSITION

dismissed

OPINION

Bui v. Hovsepien

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI#I REPORTS AND PACIFIC REPORTER

Electronically Filed Intermediate Court of Appeals

CAAP-XX-XXXXXXX

17-JUN-2026

08:46 AM

NO. CAAP-25-0000416Dkt. 90 OAWST

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI#I

TUAN XUAN BUI and MY-KIM T. BUI,

Plaintiffs/Counterclaim Defendants/Appellants, v. THOMAS D. HOVSEPIAN,
Defendant/Counterclaimant/Appellee.

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT

LAHAINA DIVISION

(CASE NO. 2DRC-XX-XXXXXXX)

ORDER APPROVING STIPULATION FOR DISMISSAL OF APPEAL

(By: Nakasone, Chief Judge, Wadsworth and Gluck, JJ.) Upon consideration of the May 22, 2026

Stipulation for Dismissal of Appeal with Prejudice, filed by Plaintiffs- Appellants Tuan Xuan Bui and My-Kim T. Bui, and the record, it appears that: (1) the appeal has been docketed, (2) the parties stipulate to dismiss the appeal and bear their own attorneys' fees and costs on appeal, (3) the stipulation is dated and signed by counsel for all parties, and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b). Therefore, IT IS HEREBY ORDERED that the stipulation is approved and the appeal is dismissed. The parties shall bear their own attorneys' fees and costs on appeal. DATED: Honolulu, Hawai'i, June 17, 2026. /s/ Karen T. Nakasone Chief Judge /s/ Clyde J. Wadsworth Associate Judge /s/ Daniel M. Gluck Associate Judge