

NO. 23060

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

LOUIS J. PASCARELLA, Claimant-Appellant, v. EARL'S PAINTING
& WALLCOVERING, INC., and TIG INSURANCE COMPANY,
Employer/Insurance Carrier-Appellees

APPEAL FROM THE LABOR AND
INDUSTRIAL RELATIONS APPEALS BOARD
(Case No. AB 97-380 (2-96-15555))

ORDER GRANTING MOTION FOR DISMISSAL
(By: Burns, C.J., Watanabe, and Lim, JJ.)

Upon consideration of "Claimant-Appellant's Motion for Dismissal and Approval of Attorney's Fees," the arguments in support thereof, and the exhibits attached thereto, filed on April 30, 2001, and "Employer and Insurance Carrier-Appellees' Statement of No Opposition to Claimant-Appellant's Motion for Dismissal and Approval of Attorney's Fees Filed April 30, 2001," filed on May 2, 2001,

IT IS HEREBY ORDERED that:

- (1) The appeal is dismissed with prejudice; and
- (2) Because Claimant-Appellant's request for fees and costs was previously filed on March 27, 2001 and granted by the

court on April 30, 2001, that part of Claimant-Appellant's motion need not be addressed.

DATED: Honolulu, Hawai'i, May 8, 2001.

David J. Mikonczyk
on the motion.