

**Electronically Filed
Intermediate Court of Appeals
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NO. 30736

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CIVIL NO. 08-1-0977

ISLAND HELICOPTERS-KAUAI, INC., Plaintiff-Appellee,
v.
TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS
REFINING, INC., a subsidiary of TESORO CORPORATION,
Defendant-Appellant/Cross-Appellee,
and
DOE DEFENDANTS 1-100, Defendants

TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS
REFINING, INC., a subsidiary of TESORO CORPORATION,
Third-Party Plaintiff-Appellant/Cross-Appellee,
v.
STATE OF HAWAII, by and through its
DEPARTMENT OF TRANSPORTATION,
Third-Party Defendants-Appellees,
and
DOE DEFENDANTS 1-100, Defendants

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION,
Fourth-Party Plaintiff-Appellee,
v.
TURBOMECA ENGINE CORP., TURBOMECA USA,
Fourth-Party Defendant-Appellant/Cross-Appellee,
and
SAFRAN Group, SAFRAN USA, Inc.,
Fourth-Party Defendants-Appellees,
and
DOES 1-100, Fourth-Party Defendants

and

CIVIL NO. 08-1-1038

CHARLES DIPIAZZA and DRAGONFLY DEFERRED
TRUST dated 6 October 2006,
Plaintiffs-Appellees,

v.

TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS
REFINING, INC., a subsidiary of TESORO CORPORATION,
Defendant-Appellant/Cross-Appellee,
and
DOE DEFENDANTS 1-100, Defendants

TESORO HAWAII CORPORATION, fka BHP PETROLEUM AMERICAS
REFINING, INC., a subsidiary of TESORO CORPORATION,
Third-Party Plaintiff-Appellant/Cross-Appellee,

v.

STATE OF HAWAII, by and through its
DEPARTMENT OF TRANSPORTATION,
Third-Party Defendant-Appellee,
and
DOE DEFENDANTS 1-100, Defendants

STATE OF HAWAII,
Fourth-Party Plaintiff-Appellee,
v.
TURBOMECA ENGINE CORP., TURBOMECA USA,
Fourth-Party Defendant-Cross-Appellant,
and
SAFRAN Group, SAFRAN USA, Inc.,
Fourth-Party Defendant-Appellee,
and
DOES 1-100, Fourth-Party Defendants

and

CIVIL NO. 08-1-2235

JACK HARTER HELICOPTERS, INC.,
Plaintiff-Appellee,

v.

TESORO HAWAII CORPORATION, fka BHP PETROLEUM,
Defendants-Appellant/Cross-Appellee,
and
DOE CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10;
DOE NON-PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10, Defendants

TESORO HAWAII CORPORATION fka BHP PETROLEUM,
Third-Party Plaintiff-Appellant/Cross-Appellee,
v.

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

STATE OF HAWAII, by and through its
DEPARTMENT OF TRANSPORTATION,
Third-Party Defendant-Appellee,

STATE OF HAWAII,
Fourth Party Plaintiff-Appellee,
v.
TURBOMECA S.A., TURBOMECA USA, INC.,
Fourth-Party Defendant-Cross-Appellant,
and
SAFRAN Group, SAFRAN USA, INC.,
Fourth-Party Defendant-Appellee,
and
DOES 1-100, Fourth-Party Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

ORDER APPROVING STIPULATION FOR PARTIAL DISMISSAL OF APPEAL
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of the Stipulation for Partial Dismissal of Appeal filed by Cross-Appellants and Fourth Party Defendants Turbomeca S.A. and Turbomeca USA, Inc. (Cross-Appellant) and Defendant-Appellant and Third Party Plaintiff Tesoro Hawaii Corporation (Appellant), the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that:

1. The Stipulation for Partial Dismissal of Appeal is approved.
2. The cross-appeal is dismissed.
3. Appellant's appeal of the Order Granting a Petition for Determination of a Good Faith Settlement and Dismissing All Claims Against Fourth Party-Defendants/Cross-Appellants Turbomeca USA and Turbomeca USA, Inc. is dismissed.

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

4. Appellant's appeal of the Order Granting Petition for Approval of Good Faith Settlement By & Between Plaintiffs and Third-Party Defendants/Fourth Party Plaintiff-Appellee State of Hawai'i, Department of Transportation-Airport Division remains pending.

5. Cross-Appellant and Appellant shall bear their own attorneys' fees and costs related to the dismissed portions of the appeal and the cross-appeal.

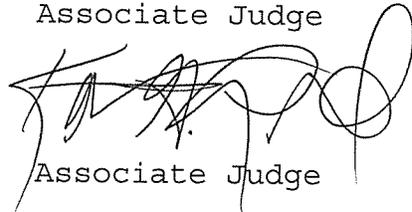
DATED: Honolulu, Hawai'i, April 26, 2011.



Chief Judge



Associate Judge



Associate Judge