5th CIRCUIT COURT
STATE OF HAWAII
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JAMES PFLUEGER,
PFLUEGER PROPERTIES, and
PILA`A 400, LLC

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAI`I

COUNTY OF KAUA`I, a municipal corporation	)	CIVIL NO. 02-1-0160 (Other Civil Action)
Plaintiff,	)	STIPULATION BETWEEN THE COUNTY OF KAUAI AND JAMES H. PFLUEGER, PFLUEGER PROPERTIES, AND PILA'A 400, LLC FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND
vs.	)	
JAMES H. PFLUEGER, individually;	)	

PFLUEGER PROPERTIES, a Hawai'i Limited Partnership; PILA'A 400, LLC; and DOE ENTITIES 1 through 50,	)	ALL PARTIES
Defendants.	)	
	)	(No trial date set.)

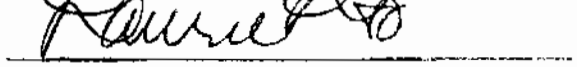
STIPULATION BETWEEN THE COUNTY OF KAUAI AND JAMES H. PFLUEGER, PFLUEGER PROPERTIES, AND PILA'A 400, LLC FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND ALL PARTIES

Pursuant to Rule 41(a)(1)(B) of the Hawaii Rules of Civil Procedure, it is hereby stipulated by and between the parties, Plaintiff County of Kauai ("County") by its Deputy County Attorney, Laurel K.S. Loo, and Defendants James H. Pflueger, Pflueger Properties, and Pila`a, 400, LLC (collectively "Pila'a"), by their respective attorney, Wesley H.H. Ching, Esq., that all claims are hereby dismissed with prejudice, each party to bear its own attorney's fees and costs.

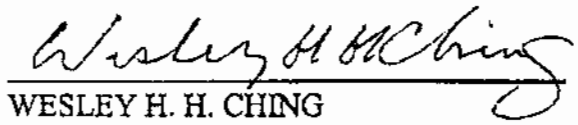
Pursuant to the Settlement Agreement entered between the County and Pila'a, the Court shall retain jurisdiction of Civil No. 02-01-0160 solely for approval of the "Pila'a 400 Remediation Plan - Package 2". There are no remaining parties or issues in this action aside from the Court's retention of jurisdiction of Civil No. 02-01-0160 solely for approval of the "Pila'a 400 Remediation Plan - Package 2".

There was no trial date set for this matter.

DATED: Honolulu, Hawaii, Revised Dec 17 2004



LAUREL K. S. LOO
Attorney for Plaintiff
COUNTY OF KAUAI



WESLEY H. H. CHING
Attorney for Defendants
JAMES H. PFLUEGER, PFLUEGER PROPERTIES, and PILA'A 400, LLC

COUNTY OF KAUA'I, a municipal corporation v. JAMES H. PFLUEGER, individually; PFLUEGER PROPERTIES, a Hawai'i Limited Partnership; PILA'A 400, LLC, CIVIL NO. 02-1-0160, Fifth Circuit Court, State of Hawai'i; STIPULATION BETWEEN THE COUNTY OF KAUAI AND JAMES H. PFLUEGER, PFLUEGER PROPERTIES, AND PILA'A 400, LLC FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND ALL PARTIES