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Nan, Inc.  
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HEARINGS OFFICE

OFFICE OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

STATE OF HAWAII

In the matter of	)	PDH-2021-012
	)	
NAN, INC.,	)	STIPULATION AND ORDER FOR
	)	DISMISSAL WITH PREJUDICE OF ALL
Petitioner,	)	CLAIMS AND PARTIES
	)	
vs.	)	Administrative Hearings Officer
	)	Desiree L. Hikida
STATE OF HAWAII, DEPARTMENT OF	)	
TRANSPORTATION,	)	Hearing: December 8, 2021
	)	9:00 a.m.
Respondent,	)	
	)	
and	)	
	)	
MIRA IMAGE CONSTRUCTION LLC,	)	
	)	
Intervenor.	)	
_____	)	

**STIPULATION FOR DISMISSAL WITH PREJUDICE**  
**OF ALL CLAIMS AND PARTIES**

IT IS HEREBY STIPULATED AND AGREED by and between Petitioner NAN, INC. (“Nan”) Respondent STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION (“HDOT”) and Intervenor MIRA IMAGE CONSTRUCTION LLC (“MIRA”), by and through their counsel undersigned, that the Administrative Hearing regarding PDH-2021-012, HDOT’s

Ala Moana Boulevard Elevated Pedestrian Walkway, Federal-Aid Project No. BLD-092-1(029), District of Honolulu, Island of Oahu (the “Project”) be hereby dismissed with prejudice.

The parties to this stipulation have agreed to bear their own legal fees and costs. The parties hereby further agree that Nan is entitled to the return of its protest bond, in the amount of ONE HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED SIXTY DOLLARS AND FORTY-ONE CENTS (\$179,960.41), by the Department of Commerce and Consumer Affairs’ Office of Administrative Hearings as soon as is practicable.

All counsel for appearing parties have signed the Stipulation for Dismissal With Prejudice of All Claims and Parties, there are no remaining parties or issues, and all other claims and parties are dismissed with prejudice.

DATED: Honolulu, Hawaii, December 2, 2021.

/s/ Wyeth M. Matsubara  
WYETH M. MATSUBARA  
MICAHA P.K. AU  
Attorney for NAN, INC.

/s/ Yvonne R. Shinmura  
YVONNE R. SHINMURA  
Deputy Attorney General  
Attorney for STATE OF HAWAII, DEPARTMENT OF  
TRANSPORTATION

/s/ Michael L. Lam  
MICHAEL L. LAM  
STEVEN E. TOM  
Attorney for Intervenor  
MIRA IMAGE CONSTRUCTION LLC

APPROVED AND SO ORDERED



By: Desiree L. Hikida  
DEPARTMENT OF COMMERCE AND  
CONSUMER AFFAIRS, STATE OF HAWAII