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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

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January 14, 2014

Mr. Tom Pierce, esq.
P.O. Box 798
Makawao, Hawaii 96768

Re: In the matter of the Petition of Kaonoulu Ranch, Docket No A9-706

Dear Mr. Pierce;

I am in receipt of your letter of January 8, 2014 in the above referenced matter and have taken note of your concerns.

Once we have determined that a hearing is appropriate on this matter we will provide all of the parties a briefing schedule that will give them the opportunity to present arguments, evidence and rebuttal. The schedule will be consistent with practice on deadlines for briefing in association with hearings of this type and will be relatively contemporaneous. Any arguments that you may have can be presented at that time, including arguments with regard to procedure.

Thank You for your cooperation in this matter. If you have any questions or concerns please contact me at 808.587.3822.

Very Truly Yours;

Daniel E. Orodener
Executive Officer

Cc: Jonathan Steiner
Brian Yee
County of Maui

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January 8, 2014

Mr. Daniel Orodener,
Executive Director
Land Use Commission
Department of Business, Economic
Development & Tourism, State of Hawaii
P.O. Box 2359
Honolulu, HI 96804

VIA EMAIL ONLY:

Daniel.E.Orodener@dbedt.hawaii.gov

*Re: In the Matter of the Petition of Kaonoulu Ranch
Docket No. A94-706*

Dear Mr. Orodener:

Intervenors, Maui Tomorrow Foundation, Inc., South Maui Citizens for Responsible Growth, and Daniel Kanahale, are in receipt of Jon Steiner's letter, dated December 31, 2013 requesting a continuance of hearing to not earlier than August 2014 on Piilani Promenade South, LLC and Piilani Promenade North, LLC's ("Movants") Motion for Order Amending the Findings of Fact, Conclusions of Law, and Decision and Order Dated February 10, 1995 ("1995 Order"). As stated in Mr. Steiner's letter, Intervenors are agreeable to the continuance of the hearing. However, please be aware this is based on the following understandings.

First, we want the ability to file our opposition briefs at a date closer to the hearing date, as well as the right to file other moving papers to be heard at the same hearing. We would want any order by you or the Land Use Commission to protect the rights of Intervenors in this respect.

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Second, our agreement to cooperate with the timing of the hearing does not constitute a waiver of our long-standing position that what Movants are doing through this motion is improper and procedurally flawed. The 1995 Order relates to 88 acres of land, which was originally owned by the petitioner but which is now owned by Movants *and* Honua'ula Partners. Movants may not seek an amendment only as to the portion of the property they own when the 1995 Order covers additional lands owned by other parties. We will fully brief this issue closer to the hearing date.

Very Truly Yours,



Tom Pierce

cc: Clients (via email)
Jonathan Steiner (via email)
Michael Hopper (via email)