CARLSMITH BALL LLP

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Attorneys for Successor Petitioner KAMEHAMEHA SCHOOLS

LAMP USE COMMISSION STATE OF MARAIL

2014 JUN -9 P 1:59

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of

TOM GENTRY AND GENTRY-PACIFIC, LTD.

To Amend the Agricultural Land Use District Boundary into the Urban Land Use District for Approximately 1,395 Acres of Land at Waiawa, Ewa, Oʻahu, City and County of Honolulu, State of Hawaiʻi, Tax Map Key Nos. 9-4-06: portion of 26; 9-6-04: portion of 1 and portion of 16; and 9-6-05: portion of 1, portion of 7 and portion of 14 DOCKET NO. A87-610

FIRST STIPULATION OF THE PARTIES SETTING FORTH FILING SCHEDULE; CERTIFICATE OF SERVICE

FIRST STIPULATION OF THE PARTIES SETTING FORTH FILING SCHEDULE FOR MOTION TO AMEND IN DOCKET NO. A87-610

On May 13, 2014 Successor Petitioner KAMEHAMEHA SCHOOLS (hereinafter "KS") filed with the Commission a Motion to Amend the Findings of Fact, Conclusions of Law, and Decision and Order in Docket No. A87-610 and KS Exhibits 1 - 18 (hereinafter the "Motion to Amend"), requesting the Commission recognize KS as the successor Petitioner in this Docket, and that the Commission issue an order modifying the Commission's Findings of Facts, Conclusions of Law, and Decision and Order dated May 17, 1988, as amended, to expressly authorize the use of portions of the property subject to this Docket for solar farm development for an interim period of time.

Along with KS, the City and County of Honolulu Department of Planning and Permitting ("**DPP**"), and the State of Hawaii by its Office of Planning ("**OP**"), are parties to the Motion to Amend. It is anticipated that the Commission will hold a hearing on this Motion to Amend on June 25 - June 26, 2014.

To facilitate the Motion to Amend proceeding, pursuant to Hawaii Administrative Rule ("HAR") §§ 15-15-42 and 15-15-70, Successor Petitioner KS, by its attorney Jennifer A. Benck, DPP, by its attorney Dawn E. Takeuchi-Apuna, and OP, by its attorney Deputy Attorney General Bryan C. Yee, hereby agree and stipulate as follows:

- 1. Successor Petitioner, OP and DPP will file a list of witnesses who may be called to testify at the hearing on this matter, if any, by June 16, 2014.
- 2. OP and DPP will each file a Response to the Motion to Amend, along with any exhibits, by June 16, 2014.
- 3. Successor Petitioner, OP and DPP will file any additional exhibits/rebuttal exhibits, and a list of any rebuttal witnesses, if any, by June 20, 2014.

The parties hereto agree that this Stipulation may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same instrument, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original of the same counterparts.

For all purposes, including without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

SO STIPULATED:

KAMEHAMEHA SCHOOLS, Successor Petitioner
BY: Jemla A. BENCK
CARLSMITH BALL LLP ATS: Attorney DATED: Honolulu, Hawaii 6/6/14,
2014
STATE OF HAWAII OFFICE OF PLANNING
BY: By: C you ITS: Deputy Attorney General DATED: Honolulu, Hawaii 6/6/19, 2014
DEPARTMENT OF PLANNING AND PERMITTING, CITY AND COUNTY OF HONOLULU
BY:

SO STIPULATED:

KAMEHAMEHA SCHOOLS, Successor Petitioner
BY:
STATE OF HAWAII OFFICE OF PLANNING
BY:
DEPARTMENT OF PLANNING AND PERMITTING, CITY AND COUNTY OF HONOLULU BY: ITS: Deputy Corporation Counsel DATED: Honolulu, Hawaii June 6, 2014

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

To Amend the Agricultural In the Matter of the Petition of

DOCKET NO. A87-610

TOM GENTRY AND GENTRY-PACIFIC, LTD

Land Use District Boundary into the Urban Land Use District for Approximately 1,395 Acres at Waiawa, Ewa, Oahu, State of Hawaii, Tax Map Key Nos." 9-4-06: Portion of 26; 9-6-04: Portion of 1 and Portion of 16; and 9-6-05: Portion of 1, Portion of 7 and Portion of 14

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that due service of a copy of the within document was made by depositing the same with the U. S. Mail, postage prepaid, or by hand delivery, on <u>June 9</u>, 2014, addressed to:

HAND DELIVERY	LEO R. ASUNCION, JR., Acting Director
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KAMEHAMEHA SCHOOLS

Dated: Honolulu, Hawaii, 5/12, 2014