

CARLSMITH BALL LLP

STEVEN S.C. LIM 2505
DEREK B. SIMON 10612
ASB Tower, Suite 2100
1001 Bishop Street
Honolulu, HI 96813
Tel No. 808.523.2500
Fax No. 808.523.0842

Attorneys for
WAIKOLOA HIGHLANDS, INC.

LAND USE COMMISSION
STATE OF HAWAII

2018 NOV -8 P 4: 25

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition Of

WAIKOLOA MAUKA, LLC

To Amend the Agricultural Land Use District
Boundary Into the Rural Land Use District for
Approximately 731.581 Acres in South Kohala
District, Island of Hawaii, Tax Map Key No.
(3) 6-8-02:016 (por.)

DOCKET NO. A06-767

SUBPOENA FOR REPRESENTATIVE OF
COUNTY OF HAWAII OFFICE OF
HOUSING AND COMMUNITY
DEVELOPMENT

**SUBPOENA FOR REPRESENTATIVE OF COUNTY OF HAWAII OFFICE OF
HOUSING AND COMMUNITY DEVELOPMENT**

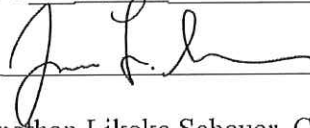
THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, any Police Officer, or any
person not less than 18 years of age and not a party in the above-entitled matter.

YOU ARE COMMANDED to Subpoena a **Representative of County of Hawaii
Office of Housing and Community Development**, 74-5044 Ane Keohokalole Highway, Bldg.
B, 2nd Floor, Kailua-Kona, HI 96740, to personally appear before the State of Hawaii Land Use
Commission on **November 28, 2018 at 9:00 a.m.**, at the Natural Energy Laboratory of Hawaii

Authority, located at 73-987 Makako Bay Drive, Kailua Kona, Hawai'i 96740, to testify as a witness in connection with the above-entitled matter.

DATED: Honolulu, Hawai'i 11/8/18



A handwritten signature in black ink, appearing to read 'Jonathan Likeke Scheuer', is written over a horizontal line.

Dr. Jonathan Likeke Scheuer, Chair
State of Hawai'i Land Use Commission

ACKNOWLEDGEMENT OF SERVICE

I, _____, received this Subpoena at
_____ on _____.

Signature

RETURN OF SERVICE

SERVICE WAS MADE AS FOLLOWS:

DATE: _____

TIME: _____

PLACE: _____

COMMENTS: _____ I served the above-named person.

_____ I served this subpoena on another individual.
(explain).

DATED: _____, County of Hawai'i, _____.

NAME OF SERVER:

SIGNATURE OF SERVER

CARLSMITH BALL LLP

STEVEN S.C. LIM 2505
DEREK B. SIMON 10612
ASB Tower, Suite 2100
1001 Bishop Street
Honolulu, HI 96813
Tel No. 808.523.2500
Fax No. 808.523.0842

Attorneys for
WAIKOLOA HIGHLANDS, INC.

LAND USE COMMISSION
STATE OF HAWAII

2018 NOV -8 P 4: 25

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition Of

WAIKOLOA MAUKA, LLC

To Amend the Agricultural Land Use District
Boundary Into the Rural Land Use District for
Approximately 731.581 Acres in South Kohala
District, Island of Hawaii, Tax Map Key No.
(3) 6-8-02:016 (por.)

DOCKET NO. A06-767

SUBPOENA *DUCES TECUM* COUNTY
OF HAWAII, OFFICE OF HOUSING
AND COMMUNITY DEVELOPMENT;
EXHIBIT "A"

**SUBPOENA DUCES TECUM COUNTY OF HAWAII, OFFICE OF HOUSING AND
COMMUNITY DEVELOPMENT**

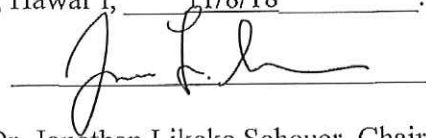
THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, any Police Officer, or any
person not less than 18 years of age and not a party in the above cited matter.

YOU ARE COMMANDED to Subpoena the **Custodian of Records of County of
Hawaii, Office of Housing and Community Development**, 50 Wailuku Drive, Hilo, Hawaii
County, HI 96720, to have available for release, copying and/or inspection all documents as
described in Exhibit A attached hereto on November 16, 2018 at 8:30 a.m. at the County of

Hawai'i, Office of Housing and Community Development, 50 Wailuku Drive, Hilo, Hawai'i
County, HI 96720.

DATED: Honolulu, Hawai'i, 11/8/18.

A handwritten signature in black ink, appearing to read 'Jonathan Likeke Scheuer', written over a horizontal line.

Dr. Jonathan Likeke Scheuer, Chair
State of Hawai'i Land Use Commission

EXHIBIT "A"

True and correct copies of files relating to the following:

1. that certain Affordable Housing Agreement by and between Waikoloa Highlands, Inc. ("**WHI**") and the County of Hawai'i ("**County**"), dated December 1, 2016;
2. the June 1, 2017 conveyance of approximately 11.7 acres of land (the "**AH Parcel**") by WHI to Plumeira at Waikoloa, LLC ("**PWL**") by way of Warranty Deed, which was recorded in the State of Hawai'i Bureau of Conveyances (the "**Bureau**") on January 29, 2018, as Regular System Document No. A-66030880;
3. that certain Affordable Housing Release Agreement by and between WHI and the County, dated July 20, 2017;
4. the April 24, 2018 conveyance of the AH Parcel from PWL to Pua Melia LLC ("**PML**") by way of Warranty Deed, which was recorded in the Bureau on May 11, 2018, as Regular System Document No. A-67050158;
5. PML's proposed mixed-use development on the AH Parcel;
6. any negotiations between the County and PWL and/or PML regarding the provision of affordable housing in the Waikoloa area; and
7. any other matters directly relevant and material to the Commission's Order to Show Cause, filed July 3, 2018.

ACKNOWLEDGEMENT OF SERVICE

I, _____, received this Subpoena at
_____ on _____.

Signature

RETURN OF SERVICE

SERVICE WAS MADE AS FOLLOWS:

DATE: _____

TIME: _____

PLACE: _____

COMMENTS: _____ I served the above-named person.

_____ I served this subpoena on another individual.
(explain).

DATED: _____, County of Hawai`i, _____.

NAME OF SERVER:

SIGNATURE OF SERVER

CARLSMITH BALL LLP

STEVEN S.C. LIM 2505
DEREK B. SIMON 10612
ASB Tower, Suite 2100
1001 Bishop Street
Honolulu, HI 96813
Tel No. 808.523.2500
Fax No. 808.523.0842

Attorneys for
WAIKOLOA HIGHLANDS, INC.

LAND USE COMMISSION
STATE OF HAWAII

2018 NOV -8 P 4: 25

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition Of

WAIKOLOA MAUKA, LLC

To Amend the Agricultural Land Use District
Boundary Into the Rural Land Use District for
Approximately 731.581 Acres in South Kohala
District, Island of Hawaii, Tax Map Key No.
(3) 6-8-02:016 (por.)

DOCKET NO. A06-767

SUBPOENA *DUCES TECUM* COUNTY
OF HAWAI'I, MAYOR'S OFFICE;
EXHIBIT "A"

SUBPOENA DUCES TECUM COUNTY OF HAWAI'I, MAYOR'S OFFICE

THE STATE OF HAWAI'I:

TO THE SHERIFF of the State of Hawai'i or his Deputy, any Police Officer, or any
person not less than 18 years of age and not a party in the above cited matter.

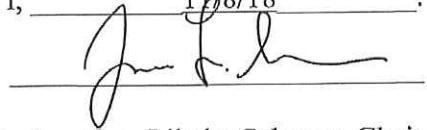
YOU ARE COMMANDED to Subpoena the **Custodian of Records of County of
Hawai'i, Mayor's Office**, 25 Aupuni Street, Suite 2603, Hilo, Hawaii County, HI 96720, to
have available for release, copying and/or inspection all documents as described in **Exhibit A**
attached hereto on **November 16, 2018 at 8:30 a.m.** at the County of Hawai'i, Mayor's Office
located at 25 Aupuni Street, Suite 2603, Hilo, Hawai'i County, HI 96720.

EXHIBIT "A"

True and correct copies of files relating to the following:

1. that certain Affordable Housing Agreement by and between Waikoloa Highlands, Inc. ("**WHI**") and the County of Hawai'i ("**County**"), dated December 1, 2016;
2. the June 1, 2017 conveyance of approximately 11.7 acres of land (the "**AH Parcel**") by WHI to Plumeira at Waikoloa, LLC ("**PWL**") by way of Warranty Deed, which was recorded in the State of Hawai'i Bureau of Conveyances (the "**Bureau**") on January 29, 2018, as Regular System Document No. A-66030880;
3. that certain Affordable Housing Release Agreement by and between WHI and the County, dated July 20, 2017;
4. the April 24, 2018 conveyance of the AH Parcel from PWL to Pua Melia LLC ("**PML**") by way of Warranty Deed, which was recorded in the Bureau on May 11, 2018, as Regular System Document No. A-67050158;
5. PML's proposed mixed-use development on the AH Parcel;
6. any negotiations between the County and PWL and/or PML regarding the provision of affordable housing in the Waikoloa area; and
7. any other matters directly relevant and material to the Commission's Order to Show Cause, filed July 3, 2018.

DATED: Honolulu, Hawai'i, 11/8/18.

A handwritten signature in black ink, appearing to read 'Jonathan Likeke Scheuer', written over a horizontal line.

Dr. Jonathan Likeke Scheuer, Chair
State of Hawai'i Land Use Commission

ACKNOWLEDGEMENT OF SERVICE

I, _____, received this Subpoena at
_____ on _____.

Signature

RETURN OF SERVICE

SERVICE WAS MADE AS FOLLOWS:

DATE: _____

TIME: _____

PLACE: _____

COMMENTS: _____ I served the above-named person.

_____ I served this subpoena on another individual.
(explain).

DATED: _____, County of Hawai'i, _____.

NAME OF SERVER:

SIGNATURE OF SERVER