

DAVID Y. IGE  
Governor

MIKE MCCARTNEY  
Director



DANIEL E. ORODENKER  
Executive Officer

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

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March 1, 2019

Randall F. Sakumoto, Esq.  
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Curtis T. Tabata, Esq.  
Matsubara, Kotake & Tabata  
888 Mililani Street, Suite 308  
Honolulu, Hawai'i 96813

Dear Messrs. Sakumoto and Tabata:

Subject: Docket No. A94-706/Ka'ono'ulu Ranch

In accordance with the decision of the Land Use Commission ("Commission") to set an evidentiary hearing on the issues presented in the Motion to Dismiss the Order to Show Cause Proceeding ("Motion to Dismiss") filed by Pi'ilani Promenade South, LLC, and Pi'ilani Promenade North, LLC (collectively "Pi'ilani"), and joined in by Honua'ula Partners, LLC ("Honua'ula"), I hereby request that that no later than the close of business on March 7, 2019, Pi'ilani and Honua'ula shall file with the Commission and serve upon all the other parties (1) a witness list identifying all witnesses that will be providing testimony in support of the Motion to Dismiss; (2) an exhibit list identifying all exhibits that will be submitted in support of the Motion to Dismiss; and (3) all exhibits identified in the aforementioned exhibit list.

By copy of this letter, I am also requesting that no later than the close of business on March 21, 2019, the Office of Planning ("OP"), the County of Maui Department of Planning ("DP"), and Intervenors each file with the Commission and serve upon all the other parties their respective position statements on the Motion to Dismiss as well as any memoranda or other documentary information in response or in rebuttal to the documents submitted by Pi'ilani and Honua'ula on March 7, 2019, provided that OP, the DP, and Intervenors no later than the close of business on March 21, 2019, shall each also file with the Commission and serve upon all the other parties as appropriate a rebuttal witness list, a rebuttal exhibit list, and all rebuttal exhibits.

Randall F. Sakumoto, Esq.

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For your information, the evidentiary hearing has been tentatively scheduled for April 9, 2019. The parties will be informed of the exact date, time, and location of the hearing as soon as the information becomes available.

Should you have any questions on this matter, please feel free to call the Commission staff at (808) 587-3822.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Likeke Scheuer', with a long horizontal flourish extending to the right.

Jonathan Likeke Scheuer  
Chairperson

c: Dawn T. Apuna, Esq.  
Michael J. Hopper, Esq.  
Tom Pierce, Esq.