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Director



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

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March 5, 2019

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Re: A94-706 Ka'ono'ulu Ranch Settlement Conference

As all of the parties to this matter have agreed in writing to participate in the settlement conference authorized at the Land Use Commission meeting of February 21, 2019, we will be scheduling a conference to be held in the next few weeks.

A copy of the settlement negotiation participation agreement and waiver is attached for your signature. Please return a signed copy of the agreement to us by March 12, 2019.

Please advise us of your availability for the following dates:

March 18, 2019
March 20, 2019
March 25, 2019

All settlement conferences will take place on Maui at a location to be determined. We are hoping that only one day will be required to complete the process. If required, we will advise the parties of alternate/additional dates and times.

Thank you for your good faith participation in this matter.

Jonathan Scheuer
Chair, State Land Use Commission



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. A94-706
)
KA'ONO'ULU RANCH to Amend the) STIPULATION REGARDING SETTLEMENT
Agricultural Land Use District Boundary) CONFERENCE
into the Urban Land Use District for)
Approximately 88 acres at Ka'ono'ulu,)
Makawao-Wailuku, Maui, Hawai'i; Tax)
Map Key Nos. 3-9-01:16, 169, And 170)
Through 174)
_____)

STIPULATION REGARDING SETTLEMENT CONFERENCE

The undersigned parties, by and through their undersigned attorneys hereby stipulate and agree to the following:

1. The parties agree to attend a settlement conference to be facilitated by JONATHAN LIKEKE SCHEUER, Commissioner and Chairperson of the Land Use Commission.
2. The parties agree and authorize Mr. SCHEUER to schedule the date, time and place for the Settlement Conference, and to set the agenda for the Settlement Conference.
3. The parties waive any conflict or objection to the participation of Mr. SCHEUER or the staff of the Land Use Commission in or with respect to the Settlement Conference. The

involvement or participation of Mr. SCHEUER or the staff of the Land Use Commission shall not limit the participation or authority of Mr. SCHEUER, the staff of the Land Use Commission, or the Land Use Commission with respect to any matter now pending or which may be brought now or in the future before the Land Use Commission, including this docket.

4. All statements or communications made by any person or party in the Settlement Conference shall not be used or admitted in evidence in any proceeding before the Land Use Commission. The parties agree that the provisions of Rule 408 of the Hawaii Rules of Evidence shall apply to the Settlement Conference.

5. Participation in the Settlement Conference is strictly voluntary. Any person or party may terminate the Settlement Conference by giving written notice to all other parties and to the Land Use Commission through Mr. SCHEUER. The Parties also agree that Mr. SCHEUER may terminate the Settlement Conference and order or cause this docket to proceed on all matters then pending.

6. This Stipulation may be executed in counterparts.

DATED: Honolulu, Hawaii, _____, 2019

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Attorneys for PIILANI PROMENADE
SOUTH, LLC and PIILANI PROMENADE
NORTH, LLC

DATED: Honolulu, Hawaii, _____, 2019

CURTIS T. TABATA

Attorney for HONUA'ULA PARTNERS, LLC

DATED: Honolulu, Hawaii, _____, 2019

DAWN T. APUNA

Attorney for the OFFICE OF PLANNING
STATE OF HAWAII

DATED: Wailuku, Hawaii, _____, 2019

MICHAEL HOPPER

Attorney for the COUNTY OF MAUI- PLANNING
DEPARTMENT

DATED: Makawao, Hawaii, _____, 2019

TOM PIERCE

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SOUTH MAUI CITIZENS FOR RESPONSIBLE GROWTH
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