

MCCORRISTON MILLER MUKAI MACKINNON LLP

ATTORNEYS AT LAW

September 18, 2019

Via hand-delivery and

Email: daniel.e.orodenker@hawaii.gov

Mr. Daniel Orodener
Executive Officer
State Land Use Commission
235 South Beretania Street, Suite 406
Honolulu, Hawai'i 96813



Re: In the Matter of the Petition of Kaonoulou Ranch
Docket No. A-94-706

Dear Mr. Orodener:

On behalf of Piilani Promenade North LLC and Piilani Promenade South LLC (collectively, "*Piilani*"), we submit this letter report in anticipation of the State Land Use Commission meeting scheduled for September 26, 2019. We understand that the Commission would like to receive a report on the status of the settlement discussions in this matter. The following general chronology is provided for the Commission's reference. It is not intended to be an exhaustive list of every communication between the parties. Among other things, various emails and phone conversations between the parties have been omitted in the interest of efficiency and maintaining the confidential nature of the settlement discussions.

DATE	EVENT
February 21, 2019	The Commission at its meeting on Maui asks the parties whether they would consider entering into voluntary settlement discussions. The parties verbally indicated their willingness to participate in such discussions.
March 20, 2019	Settlement conference is held in Kihei at the Maui Research & Technology Park. All parties and their counsel are present. LUC Chair, Executive Officer and Deputy AG are also present.
April 30, 2019	Commission Executive Officer circulates Intervenor's initial draft of a settlement term sheet.
June 5, 2019	Settlement correspondence is sent from Piilani to LUC executive officer and counsel for all parties.
June 10, 2019	Settlement conference call is held between counsel for Intervenor, Piilani and Honua'ula.

DATE	EVENT
June 12, 2019	Settlement conference call is held between counsel for Intervenor, Piilani and County of Maui.
June 12, 2019	Settlement correspondence is sent from Piilani to LUC executive officer and counsel for all parties.
June 13, 2019	Settlement correspondence is sent from Intervenor to LUC executive officer and counsel for all parties.
June 26, 2019	Settlement conference is held in Kihei at the offices of Goodfellow Brothers. Intervenor, Piilani and their respective counsel are present.
July 3, 2019	Settlement correspondence is sent from Intervenor to Piilani.
July 4, 2019	Settlement correspondence is sent from Intervenor to Piilani and Honua'ula.
July 10, 2019	Settlement conference is held in Kihei at the offices of Goodfellow Brothers. Intervenor, Piilani and their respective counsel are present.
July 10, 2019 (evening)	Meeting is held in Kihei at Lokelani Intermediate School to discuss proposed cultural preserve. Intervenor, Piilani and other interested parties are present.
July 14, 2019	Settlement correspondence is sent from Intervenor to Piilani and Honua'ula.
July 16, 2019	Settlement conference call is held between counsel for all parties.
July 16, 2019 (afternoon)	Site visit of petition area and comments received. Intervenor, Piilani and other interested parties are present.
July 17, 2019	Settlement conference is held in Kihei at Maui Research & Technology Park. All parties and their counsel are present. LUC Chair, Executive Officer and Deputy AG are also present.
July 31, 2019	Settlement conference call is held between counsel for Intervenor, Piilani and Honua'ula.

DATE	EVENT
July 31, 2019	Settlement conference call is held between counsel for Intervenor, Piilani and County of Maui.
August 6, 2019	Settlement conference call is held between counsel for Intervenor, Piilani and Honua'ula.
August 20, 2019	Settlement correspondence is sent from Piilani to Intervenor.
September 7, 2019	Site visit to petition area is held at the request of Intervenor. Intervenor and other interested parties are present.
September 25, 2019	Meeting scheduled to discuss cultural preserve. Location: Lokelani Intermediate School in Kihei.

Settlement discussions to date have generally focused on three primary areas: (i) permitted uses; (ii) development standards; and (iii) the cultural preserve.

This communication is subject to Rule 408 of the Hawaii Rules of Evidence.

Very truly yours,

McCORRISTON MILLER MUKAI MacKINNON LLP



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RFS:dkc

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