

CARLSMITH BALL LLP

STEVEN S.C. LIM 2505
KATHERINE A. GARSON 5748
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
UNIVERSITY OF THE NATIONS, KONA,
INC.

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition Of

U of N BENCORP

To Amend the Agricultural Land Use District
to the Urban Land Use District for
Approximately 62 Acres, Tax Map Key Nos.:
(3) 7-5-010:085 and 7-5-017:006 situated at
Wai'aha, North Kona, County and State of
Hawaii'i

DOCKET NO. A02-737

UNIVERSITY OF THE NATIONS,
KONA, INC.'S MOTION FOR
RECONSIDERATION OF ORDER TO
[SIC] GRANTING UNITED NATION
[SIC] OF KONA'S MOTION TO
CONTINUE HEARING ON ORDER TO
SHOW CAUSE; MEMORANDUM IN
SUPPORT OF MOTION; DECLARATION
OF DEREK B. SIMON, EXHIBIT "A" -
"E"; CERTIFICATE OF SERVICE

**UNIVERSITY OF THE NATIONS, KONA, INC.'S MOTION FOR
RECONSIDERATION OF ORDER GRANTING UNITED NATION [SIC] OF KONA'S
MOTION TO CONTINUE HEARING ON ORDER TO SHOW CAUSE**

University of the Nations, Kona, Inc., a Hawaii'i nonprofit corporation ("**Petitioner**"), as
successor-in-interest to Petitioner U of N Bencorp to those certain parcels of land consisting of
approximately 62 acres and currently identified by Tax Map Key ("**TMK**") Nos. (3) 7-5-010:85

and (3) 7-5-017:006, by and through its legal counsel, Carlsmith Ball LLP, hereby respectfully submits to the Land Use Commission of the State of Hawai'i ("**Commission**") this *Motion* ("**Motion**") for *Reconsideration of Order to [sic] Granting United Nation [sic] Of Kona's Motion To Continue Hearing On Order To Show Cause* (the "**Order**"). Through this Motion, Petitioner respectfully requests that the Commission reconsider certain statements made in the Caption, Procedural Background, Findings of Fact, Conclusions of Law and Order sections of the Order that are not an accurate reflection of the record.

This Motion is brought pursuant to Hawai'i Administrative Rules §§ 15-15-70 and 15-15-84, the memorandum and exhibits attached hereto, and the files and records herein.

A hearing is not requested on this motion.

DATED: Honolulu, Hawai'i, October 14, 2019



STEVEN S.C. LIM
KATHERINE A. GARSON
DEREK B. SIMON

Attorneys for
UNIVERSITY OF THE NATIONS, KONA,
INC.