

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

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

DOCKET NO. A02-737

DECLARATION OF DEREK B. SIMON

DECLARATION OF DEREK B. SIMON

I, DEREK B. SIMON, declare and state as follows:

1. I am an attorney with Carlsmith Ball LLP, attorneys for University of the Nations, Kona, Inc. ("**Petitioner**"), successor-in-interest to U of N Bencorp, the original Petitioner in Docket No. A02-737.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Land Use Commission of the State of Hawaii ("**Commission**") Agenda for the meetings scheduled for May 22-23, 2019.

3. Attached hereto as **Exhibit B** is a true and correct copy of the Petitioner's *Notice of Representation of Counsel and Change in Ownership*, filed May 1, 2019.

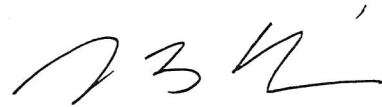
4. Attached hereto as **Exhibit C** is a true and correct copy of the transcript of the Commission's March 28, 2019 hearing prepared by Jean M. McManus of McManus Court Reporters.

5. Attached hereto as **Exhibit D** is a true and correct copy of the *University of the Nations, Kona, Inc., State of Hawaii Office of Planning and County of Hawaii, Planning*

Department's Joint Stipulation to Stay Hearing on Order to Show Cause and Reservation of Rights, filed May 20, 2019.

6. Attached as **Exhibit E** is a true and correct copy of the transcript of the Commission's May 22, 2019 hearing prepared by Jean M. McManus of McManus Court Reporters.

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

A handwritten signature in black ink, appearing to read 'D B Simon', written in a cursive style.

DEREK. B. SIMON