



LAND USE COMMISSION
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION 2020 NOV -6 P 12: 56

OF THE STATE OF HAWAII

In The Matter Of The Petition Of)	DOCKET NO. A11-791
)	
A11-791 HG KAUA'I JOINT VENTURE LLC)	PREHEARING ORDER; AND
)	CERTIFICATE OF SERVICE
To amend the Land Use District Boundaries of)	
Certain Lands Situated at Kapa`a, Island of)	
Kaua`I, State of Hawai`i, consisting of)	
approximately 96 Acres, from the State)	
Agricultural Land Use District to the State)	
Urban District, Kaua`i, (TMK): (4) 4-3-03:)	
portion 01)	
_____)	

PREHEARING ORDER

AND

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN THE OFFICE OF THE STATE LAND USE COMMISSION, HONOLULU, HAWAII.

Date November 6, 2020

BY 

Executive Officer



LAND USE COMMISSION
STATE OF HAWAII

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PREHEARING ORDER

WHEREAS, it is desired to expedite the orderly conduct and disposition of this proceeding by a prompt and timely exchange of witness lists, exhibit lists, and exhibits;

WHEREAS, the Land Use Commission staff held a prehearing conference among the Parties¹ in this proceeding was on November 6, 2020, to arrange for the timely submission of witness lists, exhibit lists, and exhibits; and to set schedules; now, therefore,

IT IS HEREBY ORDERED that (1) no later than the close of business on December 10, 2020, each party shall submit and serve upon all the other parties a

¹ This included invitations to three potential intervening parties that had filed Notice of Intent to Intervene: Sierra Club of Kaua`i, Wailua-Kapa`a Neighborhood Association, and Liko Martin.

statement of position on the district boundary amendment, a final witness list identifying all witnesses that will be providing testimony in support of the respective party's position and a final exhibit list identifying all exhibits that will be submitted in support of the respective party's position; and (2) no later than the close of business on December 23, 2020, a party shall submit and serve upon all the other parties any and all exhibits (including written direct testimony of their respective expert/lay witnesses)², memoranda, or other documentary information in response to or in rebuttal to the documents submitted on December 10, 2020, and as appropriate a rebuttal witness list, a rebuttal exhibit list, and all rebuttal exhibits;

IT IS FURTHER ORDERED that unless there has been a showing of good cause or the lack of significant prejudice, filings or submissions which are untimely may be stricken or rejected by the Land Use Commission ("Commission") at the time of the hearing; and

IT IS ALSO FURTHER ORDERED that unless there has been a showing of good cause or lack of significant prejudice, or unless otherwise ordered by this Commission, a party shall not be allowed at any continued hearing in this proceeding to submit any additional exhibits not previously identified by the dates provided herein.

Honolulu, Hawai`i, November 6, 2020



DANIEL ORODENER
Executive Officer

² If a party elects to provide the written direct testimony of a non-expert witness, the party shall also submit and serve upon all the other parties said testimony no later than the close of business on December 23, 2020.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the PREHEARING ORDER was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

CERTIFIED MAIL: WILLIAM W.L. YUEN, Esq.
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REGULAR MAIL: WAILUA-KAPA'A NEIGHBORHOOD ASSOCIATION
Rayne Regush
5591 Kaapuni Road
Kapaa, HI 96746

Dated: Honolulu, Hawai'i, November 6, 2020



DANIEL ORODENKER
Executive Officer