

SPP No. 12-000138  
CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL  
AND  
COMMUNITY BASED EDUCATION SUPPORT SERVICES

E-MAIL COMMUNICATIONS

**From:** [Daryn Arai](mailto:Daryn_Arai)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Fujimoto, Phyllis](#); [Darrow, Jeff](#); [Nomura, Sharon](#); [Hata-Finley, Sarah](#)  
**Subject:** Connections Contested Case hearing  
**Date:** Tuesday, July 16, 2013 12:19:34 PM

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Sandy,

Please see email below from Sidney Fuke, who is assisting Intervenor Jeff Gomes, and who wishes to be copied on communications issued by you as part of the proceedings.

I checked with Sidney and he is not asking for copies of all exhibits, etc. He just wants to be copied on all letters, orders, etc, issued by you during the proceedings to make sure that he is aware of things like scheduling and deadlines, specific orders. etc.

Thanks and let me know if this will be a problem.

BTW, we should have a copy of the record to your office by the middle of next week. Sorry for the delay.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

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**From:** Daryn Arai [<mailto:darai@co.hawaii.hi.us>]  
**Sent:** Tuesday, July 16, 2013 10:06 AM  
**To:** 'Sid Fuke'  
**Cc:** 'jeff gomes'  
**Subject:** RE: Connections Contested Case hearing

Mr. Fuke.

I will forward your request to the hearing officer, Sandra Pechter Song, for her consideration. At this point on forward, Mrs. Song will be handling the contested case proceedings. However, whatever communication comes out on our end, we will make sure to copy you.

Thank you.

Daryn

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email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
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---

**From:** Sid Fuke [<mailto:sidfuke@hawaiiantel.net>]  
**Sent:** Tuesday, July 16, 2013 8:26 AM  
**To:** 'Daryn Arai'  
**Cc:** 'jeff gomes'  
**Subject:** Connections Contested Case hearing

Good morning Daryn:

Regarding the above, although Jeff is the official "party", since I am serving as his "advisor", is it possible to have me put on the CC list for all correspondences on this matter? If can, I would really appreciate it, particularly in light of Jeff's schedule the coming months. Thanks!  
Sid

**From:** [Arai, Daryn](#)  
**To:** [Monica.T.Morris@hawaii.gov](mailto:Monica.T.Morris@hawaii.gov); [Ted Hong](#); [jeff.gomes](#); [Self, Amy](#)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Kanuha, Duane](#); [Command, Bobby](#); [Lev, Rachele](#); [Masunaga, Margaret](#); [Hall, Cathy](#)  
**Subject:** Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Wednesday, July 24, 2013 3:49:52 PM

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Good afternoon, everyone.

Presiding Officer Sandra Song is requesting your availability for a pre-hearing conference to be held at the Planning Department sometime next week. As provided for by Section 4-7 of the Planning Commission Rules of Practice and Procedure, this conference with all parties is for the purpose of formulating or simplifying the issues, arranging for the exchange of proposed exhibits or proposed written testimony, setting of schedules, exchanging names of witnesses, limiting the number of witnesses and any other matter that may expedite the orderly conduct and disposition of this contested case proceeding.

Her preference for this pre-hearing conference would be:

Wednesday, July 31, 2013 at 1:30pm

An alternative date could be:

Tuesday, July 20, 2013 at 9:30am

Please let me know of your ability on any of these two dates, with the preference being Wednesday, July 31 at 1:30pm. We do have teleconferencing abilities, so please let me know if you wish to participate by phone.

Thank you.  
Daryn

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Thanks  
Daryn

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**From:** [Masunaga, Margaret](#)  
**To:** [Arai, Daryn](#)  
**Cc:** [Monica.T.Morris@hawaii.gov](#); [Ted Hong](#); [jeff.gomes](#); [Self, Amy](#); [sandrasong@hawaiiantel.net](#); [Kanuha, Duane](#); [Command, Bobby](#); [Ley, Rachelle](#); [Hall, Cathy](#)  
**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Wednesday, July 24, 2013 9:43:47 PM

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I am available on July 31, 2013, by phone (808 322-4442 or 987-1046).

Sincerely,  
Margaret Masunaga

Sent from my iPad

On Jul 24, 2013, at 4:00 PM, "Arai, Daryn" <[DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us)> wrote:

Sorry, typo everyone!

See corrected dates below.

My apologies  
Daryn

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**From:** Arai, Daryn  
**Sent:** Wednesday, July 24, 2013 3:50 PM  
**To:** '[Monica.T.Morris@hawaii.gov](mailto:Monica.T.Morris@hawaii.gov)'; 'Ted Hong'; 'jeff.gomes'; Self, Amy  
**Cc:** '[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)'; Kanuha, Duane; Command, Bobby; Ley, Rachelle; Masunaga, Margaret; Hall, Cathy  
**Subject:** Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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**From:** [Self, Amy](#)  
**To:** [Arai, Daryn](#); [Monica.T.Morris@hawaii.gov](#); [Ted Hong](#); [jeff.gomes](#)  
**Cc:** [sandrasong@hawaiiantel.net](#); [Kanuha, Duane](#); [Command, Bobby](#); [Ley, Rachele](#); [Masunaga, Margaret](#); [Hall, Cathy](#)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Thursday, July 25, 2013 7:03:40 AM

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I am available on either day, but 7/31 works better.

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**From:** Arai, Daryn  
**Sent:** Wednesday, July 24, 2013 4:01 PM  
**To:** Monica.T.Morris@hawaii.gov; Ted Hong; 'jeff.gomes'; Self, Amy  
**Cc:** sandrasong@hawaiiantel.net; Kanuha, Duane; Command, Bobby; Ley, Rachele; Masunaga, Margaret; Hall, Cathy  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Sorry, typo everyone!

See corrected dates below.

My apologies

Daryn

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**From:** Arai, Daryn  
**Sent:** Wednesday, July 24, 2013 3:50 PM  
**To:** 'Monica.T.Morris@hawaii.gov'; 'Ted Hong'; 'jeff.gomes'; Self, Amy  
**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachele; Masunaga, Margaret; Hall, Cathy  
**Subject:** Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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Tuesday, July 30, 2013 at 9:30am

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Thank you.

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*"Hawai'i County is an equal opportunity provider and employer"*

**From:** Daryn Arai  
**To:** "jeff.gomes"  
**Cc:** sandrasong@hawaiiantel.net  
**Subject:** RE: Contested Case Pre-Hearing conference Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Thursday, July 25, 2013 4:29:33 PM

---

Jeff,

Yes, as much as possible. At the very least, just a list of witnesses and exhibits you wish to introduce as well as your schedule for the coming months.

Regarding an assistant, that should not be a problem as long as that assistant is simply jotting information down and not participating in the discussion.

I am copying the presiding officer since she is conducting the entire proceeding. I want to make sure I don't step out-of-bounds.

Thanks  
Daryn

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email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawaii County is an equal opportunity provider and employer"*

---

**From:** jeff.gomes [mailto:kalanigomes@hawaiiantel.net]  
**Sent:** Thursday, July 25, 2013 11:16 AM  
**To:** darai@co.hawaii.hi.us  
**Subject:** Re: Contested Case Pre-Hearing conference Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Hi Daryn,

Will I need to bring anything with me next week such as; list of witnesses and evidence collected?

May I have an assistant with me to record information?

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench

16-175 Melekauiwa Street #1  
Kea'au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Jul 25, 2013, **Daryn Arai** <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)> wrote:  
Thanks Jeff!

Will confirm once everyone chimes in.

Thanks for your quick response!

Daryn

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"Hawai'i County is an equal opportunity provider and employer"

-----Original Message-----

From: jeff gomes [<mailto:kalanigomes@hawaiiantel.net>]  
Sent: Wednesday, July 24, 2013 9:41 PM  
To: [DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us)  
Subject: Re: RE: Contested Case Pre-Hearing conference re: Connections New Century  
Public Charter School/CBESS Special Permit Appl No. 12-000138

Hi Daryn,

I am available Wednesday, July 31 at 1:30 p.m.

Let me know exactly where when you find out.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea'au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

Jul 24, 2013 04:00:40 PM, [DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us) wrote:  
>Sorry, typo everyone!

See corrected dates below.

My apologies  
Daryn

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County of Hawaii Planning Department  
>Aupuni Center  
>101 Pauahi Street, Suite No. 3  
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>"Hawai'i County is an equal opportunity provider and employer"

From: Arai, Daryn  
>Sent: Wednesday, July 24, 2013 3:50 PM  
>To: '[Monica.T.Morris@hawaii.gov](mailto:Monica.T.Morris@hawaii.gov)'; 'Ted Hong'; 'jeff gomes'; Self, Amy  
>Cc: '[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)'; Kanuha, Duane; Command, Bobby; Ley, Rachelle; Masunaga, Margaret; Hall, Cathy  
>Subject: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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Thank you.

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**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, July 30, 2013 10:29:19 AM

---

Good morning, everyone!

We will need to reschedule this pre-hearing conference since we are not able to get all of the parties together for this meeting. We will probably not be able to finalize any new meeting date until the middle of next week.

I will be in touch with all of you next week.

Daryn

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**From:** Arai, Daryn  
**Sent:** Wednesday, July 24, 2013 3:50 PM  
**To:** 'Monica.T.Morris@hawaii.gov'; 'Ted Hong'; 'jeff.gomes'; Self, Amy  
**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachele; Masunaga, Margaret; Hall, Cathy  
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**Cc:** [sandrasong@hawaiiantel.net](#); [Fujimoto, Phyllis](#); [Darrow, Jeff](#)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, July 30, 2013 2:18:57 PM

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Good afternoon, everyone.

In anticipation that confirmation of a new meeting time will not be confirmed until the middle of next week, just wanted to check if the parties will be available for a pre-hearing conference on Friday, August 9 at 9:00am at the Planning Dept.?

Thank you.

Daryn

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**Sent:** Tuesday, July 30, 2013 10:29 AM  
**To:** 'Ted Hong'; 'jeff.gomes'; Self, Amy; 'carter.k.siu@hawaii.gov'  
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From: "Arai, Daryn" <DARAI@co.hawaii.hi.us>  
To: "Ted Hong" <ted@tedhonglaw.com>, "jeff gomes" <kalanigomes@hawaiiantel.net>, "Self, Amy" <aself@co.hawaii.hi.us>, <carter.k.siu@hawaii.gov>  
Cc: <sandrasong@hawaiiantel.net>, "Fujimoto, Phyllis" <pfujimoto@co.hawaii.hi.us>, "Darrow, Jeff" <jdarrow@co.hawaii.hi.us>  
Date: 07/30/2013 02:18 PM  
Subject: RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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**Sent:** Wednesday, July 24, 2013 3:50 PM  
**To:** 'Monica.T.Morris@hawaii.gov'; 'Ted Hong'; 'jeff gomes'; Self, Amy  
**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachelle; Masunaga, Margaret; Hall, Cathy

**Subject:** Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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Thank you.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: darai@co.hawaii.hi.us  
*"Hawai'i County is an equal opportunity provider and employer"*

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email:sue.leeloy@hotmail.com

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**To:** [Arai, Daryn](mailto:Arai.Daryn)  
**Cc:** [Self, Amy](mailto:Self.Amy); [Darrow, Jeff](mailto:Darrow.Jeff); [jeff.gomes](mailto:jeff.gomes); [Fujimoto, Phyllis](mailto:Fujimoto.Phyllis); [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Ted Hong](mailto:Ted.Hong); [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, August 06, 2013 10:50:53 AM

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Mr. Arai:

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Fax 586-1488

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**From:** Daryn Arai  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, August 06, 2013 12:54:41 PM

---

Sandy,

Thanks for taking the lead on rescheduling. I am available all 3 days.  
Daryn

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)]  
**Sent:** Tuesday, August 06, 2013 12:27 PM  
**To:** Carter.K.Siu@hawaii.gov; 'Arai, Daryn'  
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**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
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**Sent:** Tuesday, August 06, 2013 10:51 AM  
**To:** Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; jeff gomes; Fujimoto, Phyllis; [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net); Ted Hong; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
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**From:** Amy Self  
**To:** sandrasong@hawaiiantel.net; Carter.K.Siu@hawaii.gov; Arai, Daryn  
**Cc:** Darrow, Jeff; "jeff gomes"; Fujimoto, Phyllis; "Ted Hong"; Gina.M.Lum@hawaii.gov; Masuda, Craig  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, August 06, 2013 1:02:36 PM

---

I will be at a land use training on the mainland from Aug. 13 through Aug. 16.

---

**From:** Sandra Song [mailto:sandrasong@hawaiiantel.net]  
**Sent:** Tuesday, August 06, 2013 12:27 PM  
**To:** Carter.K.Siu@hawaii.gov; Arai, Daryn  
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**From:** Sue Lee Loy of TedHongLaw  
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**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, August 06, 2013 3:29:12 PM

---

Aloha et al - Mr. Hong is available on the 13th between 11:30 and 3.

On Tue, Aug 6, 2013 at 3:16 PM, <Carter.K.Siu@hawaii.gov> wrote:  
I am available on the 13th.

Carter K. Siu  
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From: "Sandra Song" <sandrasong@hawaiiantel.net>  
To: <Carter.K.Siu@hawaii.gov>, "Arai, Daryn" <DARAI@co.hawaii.hi.us>  
Cc: "Self, Amy" <aself@co.hawaii.hi.us>, "Darrow, Jeff" <jdarrow@co.hawaii.hi.us>, "jeff.gomes" <kajanigomes@hawaiiantel.net>, "Fujimoto, Phyllis" <pfujimoto@co.hawaii.hi.us>, "Ted Hong" <ted@tedhonglaw.com>, <Gina.M.Lum@hawaii.gov>  
Date: 08/06/2013 12:27 PM  
Subject: RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

---

I'm in a settlement conference beginning at 1:30 p.m. on Friday, so we should look at the following week. I am available any time on August 13, 14 or 16.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212

Fax: (808) 935-4853

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**From:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov) [mailto:[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)]  
**Sent:** Tuesday, August 06, 2013 10:51 AM  
**To:** Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; jeff gomes; Fujimoto, Phyllis; [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Ted Hong; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Mr. Arai:

I apologize for not being in town the last couple of weeks, but I just returned to my office this morning.

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Mahalo!

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email:sue.leeloy@hotmail.com

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Date 07/30/2013 02:18 PM  
Subject RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

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Good afternoon, everyone.

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Thank you.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: darai@co.hawaii.hi.us  
*"Hawaii's County is an equal opportunity provider and employer"*

**From:** Arai, Daryn  
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**To:** 'Ted Hong'; 'jeff gomes'; Self, Amy; 'carter.k.siu@hawaii.gov'  
**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachelle; Masunaga, Margaret; Hall, Cathy

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**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachele; Masunaga, Margaret; Hall, Cathy

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Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email:sue.leeloy@hotmail.com

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**From:** Amy Self  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; "jeff gomes"; Fujimoto, Phyllis; "Ted Hong"; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov); "Molly Stebbins"  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Tuesday, August 06, 2013 5:22:51 PM

---

One of our other attorneys, Molly Stebbins, has agreed to attend the pre-hearing conference on August 13 from 1:00 to 3:00 p.m., so that this can move forward while I am on the mainland. I am copying Ms. Stebbins on this email and I request that she be included in all future correspondence re this matter until I return. Thank you in advance for your cooperation.

---

**From:** Sandra Song [<mailto:sandrasong@hawaiiantel.net>]  
**Sent:** Tuesday, August 06, 2013 12:27 PM  
**To:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; 'jeff gomes'; Fujimoto, Phyllis; 'Ted Hong'; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
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Fax: (808) 961-8742  
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**Cc:** 'sandrasong@hawaiiantel.net'; Kanuha, Duane; Command, Bobby; Ley, Rachelle; Masunaga, Margaret; Hall, Cathy  
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**Cc:** [Darrow, Jeff; "jeff gomes"; Fujimoto, Phyllis; "Ted Hong"; Gina.M.Lum@hawaii.gov; Stebbins, Molly; Self, Amy; Carter.K.Siu@hawaii.gov](mailto:Darrow, Jeff; 'jeff gomes'; Fujimoto, Phyllis; 'Ted Hong'; Gina.M.Lum@hawaii.gov; Stebbins, Molly; Self, Amy; Carter.K.Siu@hawaii.gov)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Wednesday, August 07, 2013 4:10:41 PM

---

Mrs. Song,

Just spoke with Jeff Gomes who indicated that he will not be available all of next week, including telephonically.

He is available anytime after August 19.

Could you please attempt a new meeting date? Once confirmed, I will reserve a conference room for all of you.

Thanks  
Daryn

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**From:** Amy Self [<mailto:aself@co.hawaii.hi.us>]  
**Sent:** Tuesday, August 06, 2013 5:23 PM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; 'jeff gomes'; Fujimoto, Phyllis; 'Ted Hong'; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov); 'Molly Stebbins'  
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**Subject:** FW: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Friday, August 09, 2013 10:20:31 AM

---

Sandy,  
More scheduling info from Ted Hong's office.  
Let me know if there is an alternate date and I will try to secure the conference room.

Thanks  
Daryn

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**From:** Sue Lee Loy of TedHongLaw [<mailto:sue@tedhonglaw.com>]  
**Sent:** Friday, August 09, 2013 9:48 AM  
**To:** Daryn Arai  
**Cc:** Fujimoto, Phyllis  
**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Aloha Daryn and Phyllis - UPDATE - 8/27 IS NO LONGER AVAILABLE. Just trying to stay in front of this one

On Thu, Aug 8, 2013 at 1:14 PM, Sue Lee Loy of TedHongLaw <[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)> wrote:  
No worries. Mr. Hong is out of state from 8/14 to 8/20. To help with more options, he is available 8/21 between 10 and 3; 8/22 between 11 and 3 8/23 between 11 and 5; 8/26 and 8/27 are open as of this writing.

On Thu, Aug 8, 2013 at 11:06 AM, Daryn Arai <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)> wrote:  
Jeff Gomes can't make it.  
I asked the presiding officer to reschedule.  
This is more difficult than we thought! Sorry.

Daryn

---

**From:** Sue Lee Loy of TedHongLaw [<mailto:sue@tedhonglaw.com>]  
**Sent:** Thursday, August 08, 2013 10:34 AM

**To:** darai; Fujimoto, Phyllis  
**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Daryn/Phyllis - is there a firm time for the 13?

On Tue, Aug 6, 2013 at 3:29 PM, Sue Lee Loy of TedHongLaw <[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)> wrote:

Aloha et al - Mr. Hong is available on the 13th between 11:30 and 3.

On Tue, Aug 6, 2013 at 3:16 PM, <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)> wrote:  
I am available on the 13th.

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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From: "Sandra Song" <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)>  
To: <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)>, "Arai, Daryn" <[DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us)>  
Cc: "'Self, Amy'" <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)>, "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>, "jeff gomes" <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)>, "Fujimoto, Phyllis" <[pfujimoto@co.hawaii.hi.us](mailto:pfujimoto@co.hawaii.hi.us)>, "Ted Hong" <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)>, <[Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)>  
Date: 08/06/2013 12:27 PM  
Subject: RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

---

I'm in a settlement conference beginning at 1:30 p.m. on Friday, so we should look at the following week. I am available any time on August 13, 14 or 16.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212



Fax: (808) 935-4853

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**From:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov) [<mailto:Carter.K.Siu@hawaii.gov>]  
**Sent:** Tuesday, August 06, 2013 10:51 AM  
**To:** Arai, Daryn  
**Cc:** Self, Amy; Darrow, Jeff; jeff gomes; Fujimoto, Phyllis; [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Ted Hong; [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**Subject:** RE: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Mr. Arai:

I apologize for not being in town the last couple of weeks, but I just returned to my office this morning.

I am unavailable this Friday at 9:00 a.m. as I am in federal court at 9:30 a.m. I could be available later that afternoon. Also, since I am Oahu, would it be possible if I could telephonically? Or am I required to attend in person?

Should there be any questions regarding the foregoing, please do not hesitate to call or e-mail my office.

Mahalo!

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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**From:** Daryn Arai  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** RE: Connections pre-hearing conference  
**Date:** Friday, August 09, 2013 1:47:56 PM

---

Thanks Sandy

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)]  
**Sent:** Friday, August 09, 2013 11:40 AM  
**To:** 'Daryn Arai'  
**Subject:** Connections pre-hearing conference

Daryn,

After our phone conversation, I decided just to set a new hearing date and time in your conference room. Lets see if anyone objects.

Best regards,

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** CONNECTIONS CONTESTED CASE HEARING  
**Date:** Friday, August 09, 2013 3:21:32 PM

---

Aloha Sandra,

Thank you very much for setting the date and your patience. I am available and will be present Thursday, August 22, 2013 at 11:00 am.

This is my first Contested Case hear and I am not familiar with procedure. Is there anything in particular you expect me to bring or that I need have with me? I appreciate any guidance that will help make this process flow smoothly.

Mahalo,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** FW: Connections Pre-Hearing Conference  
**Date:** Monday, August 12, 2013 3:28:54 PM

---

Sandy,

Just in case, I ask Sharon of our office to look at current available conference rooms at both Aupuni Center and the State Building to accommodate a contested case proceeding.

Below are the availabilities as of today. But it goes quickly.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawaii's County is an equal opportunity provider and employer"*

---

**From:** Nomura, Sharon  
**Sent:** Monday, August 12, 2013 9:48 AM  
**To:** Arai, Daryn  
**Subject:** RE: Connections Pre-Hearing Conference

For Aupuni Center Conference Room:

Sept, 3, 6 and 30. And Oct. 9, 16 and 31 – Gotta make reservations quick since it's in high demand.

For State Building:

Sept. 3, 5, 6, 9, 10, 13, 16, 17, 19, 23 and 30. And Oct. 3, 4, 7, 11, 15, 21, 22, 23, 24, 25, 28 and 31.

---

**From:** Arai, Daryn  
**Sent:** Friday, August 09, 2013 4:45 PM  
**To:** Darrow, Jeff; Fujimoto, Phyllis; Cottle, Maija; Nomura, Sharon; Hata-Finley, Sarah; Kanuha, Duane; Command, Bobby; Ley, Rachelle  
**Subject:** Connections Pre-Hearing Conference

Hello everyone.

Presiding officer Sandra Song has scheduled the Connection Pre-Hearing Conference on Thursday, August 22 at 11:00am in our Planning Conference Room.

I will attend just for scheduling purposes, but will not actively participate in the proceedings. This is really between the parties to figure out the scope of the hearing, the dates, and the witnesses and exhibits to be presented.

Sharon, please check for me current room availability for Aupuni Center for the month of September and October. We should also look at State Building too.

Once they set the hearing date, we should be reserving the rooms. Thanks

Daryn

**From:** Sandra Song  
**To:** "Darrow, Jeff"; "jeff.gomes"; "Fujimoto, Phyllis"; "Ted Hong"; "Gina.M.Lum@hawaii.gov"; "Stebbins, Molly"; "Self, Amy"; "Carter.K.Siu@hawaii.gov"; "sidfuke@hawaiiantel.net"  
**Cc:** "Daryn Araj"  
**Subject:** Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Wednesday, August 21, 2013 1:19:00 PM

---

I am writing to all of you to provide you with the following outline of the proposed agenda for the prehearing conference set for tomorrow, August 22, 2013 at 11:00 a.m. to be held in the Planning Department conference room:

1. Setting the hearing date(s). Please be prepared to provide an estimate of the length of this hearing. As of last week, the following dates were available at the State Building conference room: September 3, 5, 6, 10, 13, 16, 17, 19 and 23, and October 3, 4, 7, 11, 15, 21, 22, 23, 24, 25, 28 and 31. Also, the Aupuni Center conference room was available on October 6 and 30;
2. Setting a deadline for any objections to the existing Planning Commission record (it is my understanding that copies of this record identified as page nos. 1 through 2205 have been made for each of the parties to this proceeding);
3. Setting a deadline for submission of exhibit lists and exchange of exhibits;
4. Setting a deadline for submission of witness lists;
5. Setting a deadline for filing any motions;
6. Setting a deadline for submission for any legal memoranda;
7. Whether any party desires to submit written testimony, and if so, the deadlines for submission of written testimony (note: all witnesses testifying by written testimony must be available at the hearing for cross-examination);
8. Setting a deadline for submission of any requests for issuance of subpoenas (note: PC Rule 4-14(b) requires the request to be at least 5 working days prior to the hearing);
9. Conduct of the hearing, including, public testimony and the recordation of the proceeding;  
and
10. Explanation of post hearing procedures.

Please let me know if any of you wish to add any other matters to this agenda.

I look forward to meeting with you tomorrow.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Daryn Arai](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** RE: Connections hearing dates  
**Date:** Wednesday, August 21, 2013 1:33:59 PM

---

Sure, will work on it

---

**From:** Sandra Song [<mailto:sandrasong@hawaiiantel.net>]  
**Sent:** Wednesday, August 21, 2013 1:22 PM  
**To:** 'Daryn Arai'  
**Subject:** Connections hearing dates

Daryn,

Is it possible for Sharon to double check the availability of hearing dates prior to our pre-hearing conference tomorrow. I went through the list before I sent it on to remove any date that I was not available.

Thanks,

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** FW: Connections Pre-Hearing Conference  
**Date:** Wednesday, August 21, 2013 2:00:39 PM

---

Sandy,

Here are the updates.

For Aupuni Center Conference Room:

Sept. 3 (7a-5p only), 6 and 30. And Oct. 9, 16 and 31.

For State Building:

Sept. 3, 5, 6, 9, 10, 13, 16, 17, 23 and 30. And Oct. 3, 7, 11, 15, 21, 22, 23, 24, 25, 28 and 31.

Due to HCPO Conference on September 18 thru 20, would prefer to avoid that week if possible.

Thanks  
Daryn

---

**From:** Nomura, Sharon  
**Sent:** Wednesday, August 21, 2013 1:48 PM  
**To:** Arai, Daryn  
**Subject:** RE: Connections Pre-Hearing Conference

County Building all is okay, except on Sept. 3 it's available only from 7 to 5, not any later. Courtney reserved all the dates for me and I have to let her know what we decide next week Monday.

State Building all okay, except for Oct. 4<sup>th</sup>.

---

**From:** Arai, Daryn  
**Sent:** Wednesday, August 21, 2013 1:35 PM  
**To:** Nomura, Sharon  
**Subject:** FW: Connections Pre-Hearing Conference

Sharon,

Sorry about this, but could you update this list?

---

**From:** Nomura, Sharon  
**Sent:** Monday, August 12, 2013 9:48 AM  
**To:** Arai, Daryn  
**Subject:** RE: Connections Pre-Hearing Conference

For Aupuni Center Conference Room:

Sept. 3, 6 and 30. And Oct. 9, 16 and 31 – Gotta make reservations quick since it's in high demand.

For State Building:

Sept. 3, 5, 6, 9, 10, 13, 16, 17, 19, 23 and 30. And Oct. 3, 4, 7, 11, 15, 21, 22, 23, 24, 25, 28 and 31.

---

**From:** Arai, Daryn  
**Sent:** Friday, August 09, 2013 4:45 PM  
**To:** Darrow, Jeff; Fujimoto, Phyllis; Cottle, Maija; Nomura, Sharon; Hata-Finley, Sarah; Kanuha, Duane; Command, Bobby; Ley, Rachelle  
**Subject:** Connections Pre-Hearing Conference

Hello everyone.

Presiding officer Sandra Song has scheduled the Connection Pre-Hearing Conference on Thursday, August 22 at 11:00am in our Planning Conference Room.

I will attend just for scheduling purposes, but will not actively participate in the proceedings. This is really between the parties to figure out the scope of the hearing, the dates, and the witnesses and exhibits to be presented.

Sharon, please check for me current room availability for Aupuni Center for the month of September and October. We should also look at State Building too.

Once they set the hearing date, we should be reserving the rooms. Thanks

Daryn

**From:** [Ted Hong](mailto:Ted.Hong)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Thursday, August 22, 2013 9:47:26 AM  
**Attachments:** [CBESSLetterSong08222013.pdf](#)

---

Please find attached, my response to your request.

Thanks

On Wed, Aug 21, 2013 at 1:19 PM, Sandra Song <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:

I am writing to all of you to provide you with the following outline of the proposed agenda for the prehearing conference set for tomorrow, August 22, 2013 at 11:00 a.m. to be held in the Planning Department conference room:

1. Setting the hearing date(s). Please be prepared to provide an estimate of the length of this hearing. As of last week, the following dates were available at the State Building conference room: September 3, 5, 6, 10, 13, 16, 17, 19 and 23, and October 3, 4, 7, 11, 15, 21, 22, 23, 24, 25, 28 and 31. Also, the Aupuni Center conference room was available on October 6 and 30;
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3. Setting a deadline for submission of exhibit lists and exchange of exhibits;
4. Setting a deadline for submission of witness lists;
5. Setting a deadline for filing any motions;
6. Setting a deadline for submission for any legal memoranda;
7. Whether any party desires to submit written testimony, and if so, the deadlines for submission of written testimony (note: all witnesses testifying by written testimony must be available at the hearing for cross-examination);
8. Setting a deadline for submission of any requests for issuance of subpoenas (note: PC Rule 4-14(b) requires the request to be at least 5 working days prior to the hearing);
9. Conduct of the hearing, including, public testimony and the recordation of the proceeding; and
10. Explanation of post hearing procedures.

Please let me know if any of you wish to add any other matters to this agenda.

I look forward to meeting with you tomorrow.

Sandra P. Song

Attorney at Law

10 Kamehameha Ave.

Hilo, HI 96720

Tel: (808) 933-9212

Fax: (808) 935-4853

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**From:** [Sandra Song](mailto:Sandra.Song)  
**To:** "[Darrow, Jeff](mailto:Darrow,Jeff)"; "[jeff.gomes](mailto:jeff.gomes)"; "[Fujimoto, Phyllis](mailto:Fujimoto,Phyllis)"; "[Ted Hong](mailto:Ted.Hong)"; "[Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)"; "[Stebbins, Molly](mailto:Stebbins,Molly)"; "[Self, Amy](mailto:Self,Amy)"; "[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)"; "[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)"  
**Cc:** "[Daryn Araj](mailto:Daryn.Araj)"  
**Subject:** FW: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138  
**Date:** Thursday, August 22, 2013 9:59:00 AM  
**Attachments:** [CBESSLetterSong08222013.pdf](#)

---

Attached you will find a copy of a letter I received today from Ted Hong. In the future, any correspondence should be addressed to all of the parties; not just the hearing officer. I do want any objection being made as to ex parte communications.

Also, I trust that all parties will be participating in the pre-hearing conference later this morning.

Thank you all for your cooperation in this case.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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---

**From:** Ted Hong [<mailto:ted@tedhonglaw.com>]  
**Sent:** Thursday, August 22, 2013 9:47 AM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** Re: Contested Case Pre-Hearing conference re: Connections New Century Public Charter School/CBESS Special Permit Appl No. 12-000138

Please find attached, my response to your request.

Thanks

On Wed, Aug 21, 2013 at 1:19 PM, Sandra Song <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:  
I am writing to all of you to provide you with the following outline of the proposed agenda for the prehearing conference set for tomorrow, August 22, 2013 at 11:00 a.m. to be held in the Planning Department conference room:

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2. Setting a deadline for any objections to the existing Planning Commission record (it is my understanding that copies of this record identified as page nos. 1 through 2205 have been made for each of the parties to this proceeding);
3. Setting a deadline for submission of exhibit lists and exchange of exhibits;
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5. Setting a deadline for filing any motions;
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7. Whether any party desires to submit written testimony, and if so, the deadlines for submission of written testimony (note: all witnesses testifying by written testimony must be available at the hearing for cross-examination);
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9. Conduct of the hearing, including, public testimony and the recordation of the proceeding; and
10. Explanation of post hearing procedures.

Please let me know if any of you wish to add any other matters to this agenda.

I look forward to meeting with you tomorrow.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Sandra Song](#)  
**To:** ["jeff.gomes"](#); ["Ted Hong"](#); ["Self, Amy"](#); ["Carter.K.Siu@hawaii.gov"](#); ["sidfuke@hawaiiantel.net"](#); ["Darrow, Jeff"](#)  
**Cc:** ["Daryn Arai"](#); ["Darrow, Jeff"](#)  
**Subject:** Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138  
**Date:** Thursday, August 22, 2013 4:47:00 PM  
**Attachments:** [Planning Commission Witness List 001.pdf](#)  
[Planning Commission Exhibit List 001.pdf](#)

---

This is to confirm matters discussed at the pre-hearing conference held this morning regarding the above- referenced case, and to provide additional direction to the parties. The following parties were present at this pre-hearing conference: Ted Hong representing applicant Community Based Education Support Services; Carter Siu, Deputy Attorney General representing applicant Connections New Century Public Charter School (via phone); Amy Self, Deputy Corporation Counsel, representing the County Planning Director; and Jeff Gomes, intervenor. Also present were Sue Leeloy and Glen Sonoda (via phone) assisting Ted Hong, John Thatcher from Connections Charter School, Joan Derbyshire, board president of Community Based Education Support Services, Layne Novak, secretary for the Kaumana community association, Sidney Fuke assisting Jeff Gomes, and Jeff Darrow and Daryn Arai, staff to the Planning Commission.

Based upon the discussion at our meeting, the subject contested case will be held as follows:

1. The contested case hearing will be held on October 21 and 22, 2013, with the hearing to commence at 9:00 a.m. each day. We will end the hearing no later than 5:00 p.m. each day. All parties have agreed that this contested case hearing should be completed within two days.
2. I have retained Island Court Reporting to provide a transcript of the proceeding. Each party will be responsible for purchasing their own copy of the transcript from Island Court Reporting. You will be able to make arrangements regarding the purchase of your transcript with the court reporter at the hearing.
3. After the close of the hearing each party will be required to submit to me proposed findings of fact and conclusions of law. Each of the proposed findings is to be supported by the appropriate page of the record or the hearing transcript. The deadline for submission of proposed findings of fact will be set at the end of the hearing.
4. Each of the parties acknowledged that they are in possession of a copy of the existing Planning Commission record, consisting of 2205 pages. The parties will have two weeks, or until September 5, 2013, to provide me with any written objections they may have to any portion(s) of the record. All objections should reference the specific page(s) that are sought to be deleted. Any response to objections shall be submitted to me no later than September 12, 2013. I will provide the parties with my decision on this issue by September 20, 2013. The record, as amended, will be included as part of the record in this proceeding, and the parties may refer to the record in lieu of submitting duplicate copies of documents as separate exhibits.
5. The deadline for submission of witness lists, exhibit lists and the exchange of exhibits is October 4, 2013. The parties must insure that opposing parties actually receive these documents by this deadline. I have attached pdf copies of form exhibit and witness lists for your use. The Planning Commission staff will also e-mail writable versions of these forms to you. I ask that the parties use these form in this case.

6. The deadline for submission of any motions in this case is October 11, 2013. However, the parties are encouraged to file any motions they may have as early as possible. Memoranda in opposition to any motion shall be submitted to me and served on all parties within 7 days after being served with the motion. If sufficient time is available prior to the hearing, the party filing the motion may file a reply memorandum within 5 days of receipt of a memorandum in opposition. Reply memorandums shall not exceed 5 pages in length.  
Since the hearing in this matter is set to begin on October 21, 2013, any motion filed after October 7, 2013 will be ruled on at the beginning of the hearing on October 21, 2013.
7. All requests for subpoenas, together with the proposed subpoenas to be issued are to be submitted to me no later than October 4, 2013. The party requesting the subpoena will be responsible for serving the subpoena on the witness named in the subpoena and paying any required witness and mileage fees to the witness (See PCR Rule 4-14(e)).
8. If any party chooses to file a pre-hearing memorandum or brief, the deadline for submission of such brief or memorandum is October 17, 2013.
9. All documents submitted to me may either be submitted by delivery to my office or via e-mail transmission. Service on all parties may also be either by delivery of a hard copy or by e-mail transmission. The service of any document on any party shall be considered complete only when it is received by the party. For example, if a deadline of October 4 is set for service on any party, the party must receive the document by that day.
10. As required by law, I will allow public testimony before the hearing begins each day, but I will strictly limit such public testimony to no more than 2 minutes per speaker. Also, if public testimony becomes cumulative, the cumulative testimony may not be permitted.
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Sandy Song



Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** Daryn Arai  
**To:** "jeff gomes"; "Ted Hong"; "Self, Amy"; Carter.K.Siu@hawaii.gov  
**Cc:** sandrasong@hawaiiantel.net; "Darrow, Jeff"; sidfuke@hawaiiantel.net  
**Subject:** RE: Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138  
**Date:** Tuesday, September 03, 2013 12:10:20 PM  
**Attachments:** Exhibit List Template.doc  
Witness List Template.doc

---

Good afternoon, everyone.

Please find attached electronic versions of the Exhibit and Witness List forms for your use.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)]  
**Sent:** Thursday, August 22, 2013 4:47 PM  
**To:** 'jeff gomes'; 'Ted Hong'; 'Self, Amy'; Carter.K.Siu@hawaii.gov; sidfuke@hawaiiantel.net; 'Darrow, Jeff'  
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**From:** [Sue Lee Loy of TedHongLaw](mailto:Sue.Lee.Loy.of.TedHongLaw)  
**To:** [Ted Hong](mailto:Ted.Hong); [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net); [Carter Siu](mailto:Carter.Siu); [jeff.gomes](mailto:jeff.gomes); [Self, Amy](mailto:Self.Amy); [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net); [Daryn Arai](mailto:Daryn.Arai); [jdarrow](mailto:jdarrow)  
**Subject:** Re: Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138  
**Date:** Tuesday, September 03, 2013 12:21:10 PM

---

Ms. Song - Our office has reviewed the Planning Record (2205 pages) provided by the Planning Department on the above matter and discovered that our electronic copy (CD) did not include pages 912 to 1226. Could the Planning Department please provide these pages in electronic version? Thank you - Sue

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Please calendar all dates with a one week prior notice. Note the forms attached that she wants us to use.

----- Forwarded message -----

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**Date:** Thu, Aug 22, 2013 at 4:47 PM  
**Subject:** Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138  
**To:** [jeff.gomes](mailto:jeff.gomes) <[kalanigomes@hawaiiintel.net](mailto:kalanigomes@hawaiiintel.net)>, [Ted Hong](mailto:Ted.Hong) <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)>, "Self, Amy" <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)>, [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov), [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net), "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>  
**Cc:** [Daryn Arai](mailto:Daryn.Arai) <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)>, "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>

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--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** Daryn Arai  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** "Darrow, Jeff"  
**Subject:** RE: Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138  
**Date:** Tuesday, September 03, 2013 12:45:02 PM

---

We will make contact with Mr. Hong's office to rectify this matter.  
Sorry about this.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
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**From:** Sandra Song [mailto:[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)]  
**Sent:** Tuesday, September 03, 2013 12:26 PM  
**To:** 'Daryn Arai'; 'Darrow, Jeff'  
**Subject:** FW: Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-000138

Daryn and Jeff,

Can you please provide the missing pages to Ted Hong's office. I checked my copy and I have these pages, so maybe its only Ted's copy.

Thanks so much,

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
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**Sent:** Tuesday, September 03, 2013 12:21 PM  
**To:** Ted Hong; [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Carter Siu; jeff gomes; Self, Amy; [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); Daryn Arai; jdarrow  
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**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Carter Siu; Self; Amy; Darvn Arai; jdarrow; jeff.gomes; Ted Hong  
**Subject:** Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-00013 - NOTICE OF NO OBJECTIONS  
**Date:** Wednesday, September 04, 2013 3:30:45 PM  
**Attachments:** [Notice of No Objection to Record.pdf](#)

---

Hearings Officer Song:

Attached please find Applicant CBESS Notice of No Objection to Planning Commission Record. This notice is brought pursuant to the deadline set at the August 22, 2013 pre-hearing conference.

The attached document has also been transmitted by postal mail.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** Kualii, Jennifer  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); [Darrow.Jeff@kalanigomes@hawaiiantel.net](mailto:Darrow.Jeff@kalanigomes@hawaiiantel.net)  
**Cc:** [Self.Amy@sue@tedhonglaw.com](mailto:Self.Amy@sue@tedhonglaw.com)  
**Subject:** Connections PCS; SPP-12-000138  
**Date:** Thursday, September 05, 2013 1:03:32 PM  
**Attachments:** [Duane Kanuha, County of Hawaii Planning Director's Notice of No Objection....pdf](#)

---

Good Afternoon All:

Please find attached:

DUANE KANUHA, COUNTY OF HAWAI'I PLANNING DIRECTOR'S NOTICE OF NO OBJECTION TO PLANNING COMMISSION RECORD; CERTIFICATE OF SERVICE

Should you have any questions, please contact our office.

Thank you,  
Jennifer

Jennifer M. Kualii, Legal Technician to  
Michael J. Udovic, Amy G. Self  
and Nora K. Pinao  
Deputies Corporation Counsel  
Office of the Corporation Counsel  
333 Kilauea Avenue, 2nd Floor  
Hilo, HI 96720  
Tel. No. (808) 961-8251  
Fax No. (808) 961-8622

**From:** Kualii, Jennifer  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); [Darrow.Jeff](mailto:Darrow.Jeff); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidduke@hawaiiantel.net](mailto:sidduke@hawaiiantel.net)  
**Cc:** [Self.Amy](mailto:Self.Amy); [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com); [kangay@co.hawaii.hi.us](mailto:kangay@co.hawaii.hi.us)  
**Subject:** Connections New Century PCS; SPP-12-000138  
**Date:** Thursday, October 03, 2013 1:42:28 PM  
**Attachments:** [Planning Department's List of Witness: COS.PDF](#)  
[Planning Department's List of Exhibits: COS.PDF](#)

---

Good Afternoon All:

Please find attached the County of Hawai'i Planning Department's List of Witness and List of Exhibits for the above matter.

Should you have any questions, please contact our office.

Thank you,  
Jennifer

Jennifer M. Kualii, Legal Technician to  
Michael J. Udovic, Amy G. Self  
and Noralynne K. Pinao  
Deputies Corporation Counsel  
Office of the Corporation Counsel  
333 Kīlauea Avenue, 2nd Floor  
Hilo, HI 96720  
Tel. No. (808) 961-8251  
Fax No. (808) 961-8622

**From:** [Sandra Song](#)  
**To:** "[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)"; "[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)"; "[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)"; "[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)"; "[Amy Seif](#)"  
**Cc:** "[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)"; "[Darrow, Jeff](#)"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138 - Issuance of subpoenas  
**Date:** Thursday, October 03, 2013 4:05:00 PM  
**Attachments:** [Contested Case subpoena.pdf](#)

---

Parties,

I received a message, taken by my assistant, that Jeff Gomes was asking for information as to the procedure for issuance of subpoenas in the above-referenced case. Accordingly, I am providing all of the parties with the following information regarding the issuance of subpoenas:

Section 4-14 of the Planning Commission Rules provides procedure to follow with respect to the subpoena of witnesses and documents. Subsection (a) regarding the subpoena of a witness states "Any request for the issuance of a subpoena, requiring the attendance of a witness for the purpose of taking oral testimony before the Commission, shall be in writing and shall state the reasons why the testimony of the witness is believed to be material and relevant to the issues involved." Likewise, subsection (b) regarding the subpoena of documents provides that "Any request for the issuance of a subpoena for the production of documents or records shall be in writing; shall state the name of the person who is to produce such documents or records; shall specify the particular document or record, or part thereof, desired to be produced; and shall state the reasons why the production thereof is believed to be material and relevant to the issues involved."

In accordance with Section 4-14, any of the parties who desire to have subpoenas issued should:

1. Submit the request to me in writing together with a completed form subpoena for each witness. I have attached a sample form subpoena which you may use, or you may use your own form.
2. The request is to include the reasons why the testimony of the witness and/or the production of documents is material and relevant to this case. A subpoena will not be issued if the party does not include a justification for the testimony and/or the document production.
3. For document production, the name of the person who is to produce the document is to be included in the request.

The completed subpoena form together with the written request should be submitted to my office for signature along with a self-addressed envelope for return of the original subpoena to the requesting party for service. If you prefer to pick up the signed original subpoena from my office, please indicate so in your request and my office will call you when the subpoena is ready for pick-up. In accordance with Rule 4-14(d) no blank subpoenas will be issued to any party.

Any party requesting issuance of a subpoena shall be responsible for the service of the subpoena and for tendering payment of any fees and costs for production and copying, and for attendance and mileage required by law, unless the party is exempt under the law from the payment of such fees.



After the subpoena is served, the original subpoena signed by the person who served the subpoena, should be submitted to me for inclusion in the record of this case.

Also, under Rule 4-4 of the Planning Commission Rules, copies of any written request for the issuance of a subpoena and any issued subpoena are to be served on all parties to this proceeding.

Thank you for your cooperation in this matter.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Daryn Arai](#)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** "Masunaga, Margaret"  
**Subject:** RE: Subpoena Form for Connections Charter School hearing  
**Date:** Thursday, October 03, 2013 1:17:07 PM

---

Sandy,

The form looks fine to me. More detailed than others that have been served upon me from time to time.

Margaret, please review and let Sandy know if the county would have no objection to the adoption and use of this form.

Thanks for putting this together, Sandy!

Daryn

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)]  
**Sent:** Thursday, October 03, 2013 12:36 PM  
**To:** 'Daryn Arai'  
**Cc:** 'Masunaga, Margaret'  
**Subject:** Subpoena Form for Connections Charter School hearing

Daryn,

Since no one seemed to have a subpoena form for a contested case hearing, I made one up using a form used by the AG's office for contested case child support hearings. Since I was making a general form, I included designation of both windward and leeward planning commissions. Since Margaret is counsel for the Planning Commission, I am also sending her a copy of the form.

FYI, I'm not computer savvy enough to convert this form into a writable document, but at least it can be filled in and submitted for issuance, and it looks official. So if you like the form you can use it in other cases.

Please let me know if the subpoena is okay and I will send it out with instructions to all of the parties in the Connections case. I will still be asking the parties to comply with Planning Commission Rule 4-14 by providing a written request for the issuance of the subpoena including the testimony of the witness and/or the documents is believed to be material and relevant to the issues involved, as well as the completed subpoena form.

Looking forward to hearing from you,

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.

Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** Sandra Song  
**To:** "[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)"; "[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)"; "[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)"; "[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)"; "[Amy.Self](mailto:Amy.Self)"  
**Cc:** "[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)"; "[Darrow.Jeff](mailto:Darrow.Jeff)"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138 - issuance of subpoenas  
**Date:** Thursday, October 03, 2013 4:05:00 PM  
**Attachments:** [Contested\\_Case\\_subpoena.pdf](#)

---

Parties,

I received a message, taken by my assistant, that Jeff Gomes was asking for information as to the procedure for issuance of subpoenas in the above-referenced case. Accordingly, I am providing all of the parties with the following information regarding the issuance of subpoenas:

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Thank you for your cooperation in this matter.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Sandra Song](#)  
**To:** ["Daryn Arai"](#)  
**Cc:** ["Masunaga, Margaret"](#)  
**Subject:** Subpoena Form for Connections Charter School hearing  
**Date:** Thursday, October 03, 2013 12:36:00 PM  
**Attachments:** [Contested Case subpoena.pdf](#)

---

Daryn,

Since no one seemed to have a subpoena form for a contested case hearing, I made one up using a form used by the AG's office for contested case child support hearings. Since I was making a general form, I included designation of both windward and leeward planning commissions. Since Margaret is counsel for the Planning Commission, I am also sending her a copy of the form.

FYI, I'm not computer savvy enough to convert this form into a writable document, but at least it can be filled in and submitted for issuance, and it looks official. So if you like the form you can use it in other cases.

Please let me know if the subpoena is okay and I will send it out with instructions to all of the parties in the Connections case. I will still be asking the parties to comply with Planning Commission Rule 4-14 by providing a written request for the issuance of the subpoena including the testimony of the witness and/or the documents is believed to be material and relevant to the issues involved, as well as the completed subpoena form.

Looking forward to hearing from you,

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** EXHIBIT 17  
**Date:** Friday, October 04, 2013 2:47:29 AM  
**Attachments:** [SPACE has time to shape up ...Hawaii Tribune Herald.pdf](#)

---

Jeff Gomes  
Owner  
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(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** LIST OF EXHIBITS  
**Date:** Friday, October 04, 2013 11:27:30 AM  
**Attachments:** [LOE PAGE 2.docx](#)  
[LOE PAGE 1.docx](#)

---

Jeff Gomes  
Owner  
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(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)



**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** LIST OF EXHIBITS REVISED  
**Date:** Friday, October 04, 2013 11:38:53 AM  
**Attachments:** [LOE PAGE 1.docx](#)  
[LOE PAGE 2.docx](#)

---

Sorry.

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
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(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [jeff\\_gomes](mailto:jeff_gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** WITNESS LIST  
**Date:** Friday, October 04, 2013 12:11:01 PM  
**Attachments:** [Witness List2.pdf](#)

---

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** Daryn Arai  
**To:** "Fujimoto, Phyllis"; "Darrow, Jeff"  
**Cc:** sandrasong@hawaiiantel.net  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 04, 2013 3:21:06 PM

---

Phyl and Jeff,

You have the use of my office if needed for this teleconference on Monday morning, October 7.

Jeff, assist Phyllis with the use of my phone to establish a conference call. If necessary, use the small conference room and have the deputy use my office.

Please keep in touch with Sandy Song and assist her where we are able to.

Thanks

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)]  
**Sent:** Friday, October 04, 2013 3:02 PM  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); 'Amy Self'  
**Cc:** [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); 'Darrow, Jeff'; 'Fujimoto, Phyllis'  
**Subject:** Connections New Century Public Charter School, SPP 12-000138

Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as possible.

I am available at 9:30 a.m. on Monday, or actually any time after that in the morning. Please let Jeff or Phyllis know if 9:30 is not convenient for you or what time would work better.

Thank you for your cooperation.

Sandra P. Song

Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 04, 2013 4:14:34 PM

---

I will be off island but can be available by phone.

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Oct 04, 2013, **Sandra Song** <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:

Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as possible.

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Thank you for your cooperation.

Sandra P. Song  
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10 Kamehameha Ave.  
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**From:** Ted Hong  
**To:** sandrasong@hawaiiintel.net; TedHongLaw -- Sue  
**Cc:** Carter.K.Siu@hawaii.gov; kalanigomes@hawaiiintel.net; sidfuke@hawaiiintel.net; Amy Self; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 04, 2013 4:04:17 PM

---

Thank you, I am available at 9:30 a.m..

Ted

On Fri, Oct 4, 2013 at 3:01 PM, Sandra Song <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:

Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as possible.

I am available at 9:30 a.m. on Monday, or actually any time after that in the morning. Please let Jeff or Phyllis know if 9:30 is not convenient for you or what time would work better.

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**Subject:** WITNESS LIST  
**Date:** Friday, October 04, 2013 4:24:16 PM  
**Attachments:** [Witness List.pdf](#)

---

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [jeff\\_gomes](mailto:jeff_gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter\\_K.Siu@hawaii.gov](mailto:Carter_K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** WITNESS LIST  
**Date:** Friday, October 04, 2013 5:01:06 PM  
**Attachments:** [JG WITNESS LIST.docx](#)

---

Sorry for the blank page.

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [Sue Lee Loy of TedHongLaw](mailto:Sue.Lee.Loy.of.TedHongLaw)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Seif. Amv](#); [Carter Siu](#); [Darvn Arai](#); [idarrow](#); [jeff.gomes](#); [Ted Hong](#); [Glenn Sonoda](#)  
**Subject:** Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-00013 - Exhibit List  
REVISED PAGE 2  
**Date:** Friday, October 04, 2013 3:35:36 PM  
**Attachments:** [Joint Submission of Exhibit List - Revised Page 2.pdf](#)

---

Hearings Office Song:

Attached please find our Revised Page 2 of our Exhibit List. I appologize, there was a typo on Exhibit A8 (See Record at 1678 to 1648) it should read (See Record at 1678 to **1684**). Sorry for the extra effort this may cause.

Aloha Piha Sue

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** Sue Lee Loy of TedHongLaw  
**To:** sandrasong@hawaiiantel.net; Carter Siu; Self, Amy; Darvn Arai; idarrow; jeff.gomes; Ted Hong; Glenn Sonoda  
**Subject:** Re: Connections New Century Public CharterSchool/CBESS Special Permit Application No. 12-00013 - NOTICE OF NO OBJECTIONS  
**Date:** Friday, October 04, 2013 1:00:15 PM  
**Attachments:** [Joint Submission of Exhibits List to All Parties.pdf](#)  
[Joint Submission of Witness List to All Parties.pdf](#)

---

Hearings Officer Song:

Attached please find a Joint Submission of Witness and Exhibit List by Connections and CBESS. This submittal is brought pursuant to the deadline set at the August 22, 2013 pre-hearing conference. The attached document has also been transmitted by postal mail.

Under separate cover, our office will hand deliver the request and justifications for our subpoena and subpoena duces tecum related to this matter. When the subpoena and subpoena duces tecum are ready, please call our office at 933-1919 or let us know via email ([ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)) or ([sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)) and we will pick them up.

On Wed, Sep 4, 2013 at 3:30 PM, Sue Lee Loy of TedHongLaw  
<[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)> wrote:

Hearings Officer Song:

Attached please find Applicant CBESS Notice of No Objection to Planning Commission Record. This notice is brought pursuant to the deadline set at the August 22, 2013 pre-hearing conference.

The attached document has also been transmitted by postal mail.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: [808.933.1919](tel:808.933.1919)  
email: [sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: [808.933.1919](tel:808.933.1919)  
email: [sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Sandra Song](mailto:Sandra.Song)  
**To:** "[ted@redhonglaw.com](mailto:ted@redhonglaw.com)"; "[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)"; "[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)"; "[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)"; "[Amy.Self](mailto:Amy.Self)"  
**Cc:** "[daraj@co.hawaii.hi.us](mailto:daraj@co.hawaii.hi.us)"; "[Darrow, Jeff](mailto:Darrow,Jeff)"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138 - Exhibits and Exhibit Lists  
**Date:** Friday, October 04, 2013 11:06:00 AM

---

Parties,

This morning it appears that all of the parties and I received separate e-mails from Jeff Gomes transmitting copies of Exhibits 4 through 17 to each of us. These e-mail transmissions were nearly 50 megabytes of data which is very large for most e-mail servers.

I reviewed my e-mail to all of you from August 22, 2013, and I believe I was not clear enough in my instructions regarding exhibits. Today is the deadline for submission of your **exhibit lists** and **witness lists** to me. I provided you with copies of the Planning Commission forms to use for these lists. I also indicated that the parties were to exchange their exhibits by today. By exchange of exhibits I meant that each of you should provide the other parties with copies of the documents you intend to submit at the contested case hearing. You are not to provide me with the exhibits until the actual hearing. Also, hard copies of each exhibit should be prepared for submission at the contested case hearing, and each exhibit should be clearly marked for identification. Since there are several parties, I would ask that the exhibits be labeled with the party's name and exhibit number, such as "Connections-Exhibit 1", or "Gomes - Exhibit 1".

Please do not send me electronic copies of your exhibits via e-mail. If you want to submit electronic copies of your exhibits at the hearing, in addition to the hard copies, you may submit them on a CD or a jump drive.

With respect to the Exhibits submitted by Mr. Gomes, I will not be printing out these documents. Mr. Gomes will be responsible for providing copies of his proposed exhibits at the contested case hearing. So far, I have only received an exhibits list and witness list from the County Planning Director. I trust that I will receive the witness lists and exhibits lists from all of the remaining parties by the end of the workday.

I apologize for any confusion in this matter, and thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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you received this email message in error, please immediately notify the sender by return email and delete the message and any attachments from your system. Thank you.

**From:** Sandra Song  
**To:** "ted@tedhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy.Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 04, 2013 3:01:00 PM

---

Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as possible.

I am available at 9:30 a.m. on Monday, or actually any time after that in the morning. Please let Jeff or Phyllis know if 9:30 is not convenient for you or what time would work better.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** Sandra Song  
**To:** "ted@tedhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy.Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138 - Exhibits and Exhibit Lists  
**Date:** Friday, October 04, 2013 11:06:00 AM

---

Parties,

This morning it appears that all of the parties and I received separate e-mails from Jeff Gomes transmitting copies of Exhibits 4 through 17 to each of us. These e-mail transmissions were nearly 50 megabytes of data which is very large for most e-mail servers.

I reviewed my e-mail to all of you from August 22, 2013, and I believe I was not clear enough in my instructions regarding exhibits. Today is the deadline for submission of your **exhibit lists** and **witness lists** to me. I provided you with copies of the Planning Commission forms to use for these lists. I also indicated that the parties were to exchange their exhibits by today. By exchange of exhibits I meant that each of you should provide the other parties with copies of the documents you intend to submit at the contested case hearing. You are not to provide me with the exhibits until the actual hearing. Also, hard copies of each exhibit should be prepared for submission at the contested case hearing, and each exhibit should be clearly marked for identification. Since there are several parties, I would ask that the exhibits be labeled with the party's name and exhibit number, such as "Connections-Exhibit 1", or "Gomes - Exhibit 1".

Please do not send me electronic copies of your exhibits via e-mail. If you want to submit electronic copies of your exhibits at the hearing, in addition to the hard copies, you may submit them on a CD or a jump drive.

With respect to the Exhibits submitted by Mr. Gomes, I will not be printing out these documents. Mr. Gomes will be responsible for providing copies of his proposed exhibits at the contested case hearing. So far, I have only received an exhibits list and witness list from the County Planning Director. I trust that I will receive the witness lists and exhibits lists from all of the remaining parties by the end of the workday.

I apologize for any confusion in this matter, and thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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you received this email message in error, please immediately notify the sender by return email and delete the message and any attachments from your system. Thank you.

**From:** Amy Self  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiintel.net](mailto:kalanigomes@hawaiiintel.net); [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net)  
**Cc:** [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 04, 2013 3:49:10 PM

---

I am available at 9:30 a.m. or anytime after on Monday, October 7.

---

**From:** Sandra Song [mailto:[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)]  
**Sent:** Friday, October 04, 2013 3:02 PM  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiintel.net](mailto:kalanigomes@hawaiiintel.net); [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net); 'Amy Self'  
**Cc:** [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); 'Darrow, Jeff'; 'Fujimoto, Phyllis'  
**Subject:** Connections New Century Public Charter School, SPP 12-000138

Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as possible.

I am available at 9:30 a.m. on Monday, or actually any time after that in the morning. Please let Jeff or Phyllis know if 9:30 is not convenient for you or what time would work better.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Darrow, Jeff](mailto:Darrow, Jeff)  
**To:** [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)  
**Cc:** [Sandra Song](mailto:Sandra.Song); [Fujimoto, Phyllis](mailto:Fujimoto, Phyllis)  
**Subject:** Exhibit and Witness List  
**Date:** Monday, October 07, 2013 10:26:03 AM  
**Attachments:** [Exhibit List Template.doc](#)  
[Witness List Template.doc](#)

---

Here is the information that you requested.

Jeff

*Jeffrey Darrow  
Planner V  
County of Hawaii Planning Department  
101 Pauahi Street, Suite 3  
Hilo, HI 96720  
e-mail: [jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)  
phone: 961-8158*

**From:** [Ted Hong](mailto:Ted.Hong)  
**To:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)  
**Cc:** [Amy Self](mailto:Amy.Self); [Arai Daryn](mailto:Arai.Daryn); [Darrow Jeff](mailto:Darrow.Jeff); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [Fujimoto Phyllis](mailto:Fujimoto.Phyllis); [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); [TedHongLaw -- Sue](mailto:TedHongLaw--Sue); [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Monday, October 07, 2013 9:13:07 AM

---

Is there a telcon number or a number to call into?

On Mon, Oct 7, 2013 at 8:48 AM, <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)> wrote:  
I am available this morning at 9:30.

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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From: Ted Hong <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)>  
To: [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net), TedHongLaw -- Sue <[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)>  
Cc: [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov), [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net), [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net), Amy Self <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)>, "Arai, Daryn" <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)>, "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>, "Fujimoto, Phyllis" <[pfujimoto@co.hawaii.hi.us](mailto:pfujimoto@co.hawaii.hi.us)>  
Date: 10/04/2013 04:04 PM  
Subject: Re: Connections New Century Public Charter School, SPP 12-000138

---

Thank you, I am available at 9:30 a.m..

Ted

On Fri, Oct 4, 2013 at 3:01 PM, Sandra Song <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:  
Parties,

I would like to set up a pre-hearing conference via telephone for Monday morning, October 7, 2013 to resolve issues regarding the issuance of subpoenas for the upcoming contested case conference. In order to provide all of you with enough time to serve these subpoenas I would like to resolve these issues as soon as

possible.

I am available at 9:30 a.m. on Monday, or actually any time after that in the morning. Please let Jeff or Phyllis know if 9:30 is not convenient for you or what time would work better.

Thank you for your cooperation.

Sandra P. Song

Attorney at Law

10 Kamehameha Ave.

Hilo, HI 96720

Tel: (808) 933-9212

Fax: (808) 935-4853

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**From:** [Ted Hong](#)  
**To:** [jeff.gomes](#)  
**Cc:** [sandrasong@hawaiiantel.net](#); [Carter.K.Siu@hawaii.gov](#); [Self, Amy](#)  
**Subject:** Re: EXHIBIT 18  
**Date:** Monday, October 07, 2013 4:16:00 PM

---

Please resend Exs. 9-12, I could not open them.

Thanks,

On Fri, Oct 4, 2013 at 10:43 AM, jeff.gomes <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)> wrote:

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
[\(808\) 987-6488](tel:(808)987-6488)  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** Amy Self  
**To:** [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** FW: LIST OF EXHIBITS REVISED  
**Date:** Monday, October 07, 2013 11:35:32 AM  
**Attachments:** [LOE PAGE 1.docx](#)  
[LOE PAGE 2.docx](#)

---

Jeff:

Could you please confirm that the attached is your final exhibit list. I have two different lists that you emailed to me on Friday and I want to make sure that the last one I received is your final list. Thank you.

---

**From:** jeff gomes [mailto:[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)]  
**Sent:** Friday, October 04, 2013 11:39 AM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); Self, Amy; [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** LIST OF EXHIBITS REVISED

Sorry.

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea'au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)



**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** WITNESS LIST AND EVIDENCE LIST  
**Date:** Tuesday, October 08, 2013 12:32:11 AM  
**Attachments:** [JG WITNESS LIST.docx](#)  
[LOE PAGE 1.docx](#)  
[LOE PAGE 2.docx](#)

---

Sorry for all the confusion. Just in case anyone did not receive this. This is the final witness list I sent last Friday.

Also attached is my list of evidence.

Thank you,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [Sue Lee Loy of TedHongLaw](mailto:Sue.Lee.Loy@TedHongLaw)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Self, Amy](#); [idarrow](#); [jeff.gomes](#); [Ted Hong](#); [Carter Siu](#); [Darvin Arai](#); [Glenn Sonoda](#); [Gina Lum](#); [Holly.T.Shikada@hawaii.gov](mailto:Holly.T.Shikada@hawaii.gov); [Kualii, Jennifer](#)  
**Subject:** Connections Contested Case SP 12-000138 - Request for Witness to Appear by Telephone  
**Date:** Monday, October 14, 2013 4:52:52 PM  
**Attachments:** [Request to allow a witness to appear by telephone.pdf](#)

---

Dear Hearings Officer Song: Attached please find Applicant CBESS Request for Witness to Appear by Telephone.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Sue Lee Loy of TedHongLaw](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Self, Amy; jdarrow; jeff.gomes; Ted Hong; Carter Siu; Darvn Arai; Kualii, Jennifer; Holly.T.Shikada@hawaii.gov; Gina Lum](#)  
**Subject:** Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Tuesday, October 15, 2013 4:47:19 PM  
**Attachments:** [Request to for additional hearing date.pdf](#)

---

Dear Hearing Officer Song:

Attached please see the Applicants request for additional hearing date.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Sue Lee Loy of TedHongLaw](mailto:Sue.Lee.Loy@TedHongLaw)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [jeff.gomes](mailto:jeff.gomes); [Self.Amy](mailto:Self.Amy); [jdarrow](mailto:jdarrow); [Ted.Hong](mailto:Ted.Hong); [Carter.Siu](mailto:Carter.Siu); [Daryn.Arai](mailto:Daryn.Arai); [Glenn.Sonoda](mailto:Glenn.Sonoda); [Holly.T.Shikada@hawaii.gov](mailto:Holly.T.Shikada@hawaii.gov); [Gina.Lum](mailto:Gina.Lum); [Kuaili.Jennifer](mailto:Kuaili.Jennifer)  
**Subject:** Connections Contested Case - SP No. 12-00138  
**Date:** Tuesday, October 15, 2013 4:19:41 PM  
**Attachments:** [Exhibit A-20 total of three pages.pdf](#)

---

Dear Hearing Office Song and Parties:

My apologies, due to a copy error, Exhibit A-20 of the Applicants Connections/CBESS Joint Submission of Exhibits should have contained 3 pages. Attached please find Exhibit A-20 (total of 3 pages). Hard copies have been transmitted via postal service also. I'm sorry for the confusion or added work this may cause. Aloha Piha Sue

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: [808.933.1919](tel:808.933.1919)  
email: [sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Sue Lee Loy of TedHongLaw](#)  
**To:** [sandrasong@hawaiiantel.net](#); [Self, Amy](#); [jdarrow](#); [jeff.gomes](#); [Carter Siu](#); [Daryn Arai](#);  
[Holly.T.Shikada@hawaii.gov](#); [Gina Lum](#); [Kualii, Jennifer](#)  
**Subject:** Connections Contested Case - SP No. 12-00138 - Joint Submission First Amended Witness List  
**Date:** Tuesday, October 15, 2013 5:05:54 PM  
**Attachments:** [Joint Submission of First Amended Witness List.pdf](#)

---

Dear Hearing Officer Song - attached is Connections/CBESS Joint Submission of First Amended Witness List

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [jeff\\_gomes](mailto:jeff_gomes)  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)  
**Subject:** Re: Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Wednesday, October 16, 2013 8:49:05 PM  
**Attachments:** [photo\(71\).JPG](#)  
[photo\(72\).JPG](#)

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Ted,

Your continued anger and hate towards me and my family are clear and I beg you to forgive me. I hope it is just your job and not the way you truly feel towards me and my family. Ever since Eric Boyd took pictures of my home while my wife and daughter were getting dressed to go out for the day, posted it on the internet for your supporters to target and vandalize my property and two days later when you attacked me at my home in front of Jeff Darrow, Theresa Dunham and my neighbors our life has been a living hell. The vandalism to our property finally subsided a few months ago and I beg you not to have your supporters start up again as we live in constant fear of "when will they make their way up to our house." I am at your mercy and will do as you say.

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Until last year, I had no idea how important Phillip Rowell's testimony and work are to my family, neighbors and myself. He has the ability to save lives. He is a very, very important person and I recognize that. I have attached photos of today's accident on Kaumana Drive.

I look forward to your sample letter, guide lines and hope that someday in the future you might again welcome me as a sign waver at your next campaign.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Oct 16, 2013, **Ted Hong** <ted@tedhonglaw.com> wrote:

Mr. Gomes, that is NOT an apology or anything close to it. I don't know what kind of game you think you're playing. But your email was published to a wide number of sources to which Mr. Rowell routinely submits reports to. His reputation and standing in that professional community is important to his livelihood. Your defamatory statements are patently offense, insulting and that you published them to people in the planning profession is reprehensible.

You better seriously reassess your position on this and my deadline for a formal written apology to Mr. Rowell still stands.

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On Tue, Oct 15, 2013 at 4:47 PM, Sue Lee Loy of TedHongLaw <sue@tedhonglaw.com> wrote:

Dear Hearing Officer Song:

Attached please see the Applicants request for additional hearing date.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: [808.933.1919](tel:808.933.1919)

email:sue.leeloy@hotmail.com

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**From:** [Ted Hong](#)  
**To:** [jeff.gomes](#); [sandrasong@hawaiiantel.net](#); [Carter.Siu](#); [Self.Amy](#); [Arai.Darvn](#); [Darrow.Jeff](#); [sidfuke@hawaiiantel.net](#); [Fujimoto.Phyllis](#); [TedHongLaw -- Sue](#)  
**Subject:** Re: Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Wednesday, October 16, 2013 11:26:22 AM

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**From:** Sandra Song  
**To:** "red@redhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy.Self"  
**Cc:** "daraj@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, October 16, 2013 4:13:00 PM

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Thank you for your cooperation in this proceeding.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Daryn Arai](mailto:Daryn.Arai)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, October 16, 2013 4:21:24 PM

---

Well done!  
Thanks  
Daryn

---

**From:** Sandra Song [<mailto:sandrasong@hawaiiintel.net>]  
**Sent:** Wednesday, October 16, 2013 4:13 PM  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiintel.net](mailto:kalanigomes@hawaiiintel.net); [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net); 'Amy Self'  
**Cc:** [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); 'Darrow, Jeff'; 'Fujimoto, Phyllis'  
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**From:** Sandra Song  
**To:** "ted@redhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy\_Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, October 16, 2013 4:13:00 PM

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**From:** [Sandra Song](#)  
**To:** "[Daryn Arai](#)"  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, October 16, 2013 4:43:00 PM

---

I hope they listen.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
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**From:** Daryn Arai [<mailto:darai@co.hawaii.hi.us>]  
**Sent:** Wednesday, October 16, 2013 4:21 PM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138

Well done!  
Thanks  
Daryn

---

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**Sent:** Wednesday, October 16, 2013 4:13 PM  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); 'Amy Self'  
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**From:** Ted Hong  
**To:** jeff.gomes; TedHongLaw -- Sue; Self. Amv; Arai, Daryn; Darrow, Jeff; sandrasong@hawaiiantel.net; Carter, Silu  
**Subject:** Re: Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Thursday, October 17, 2013 7:49:52 AM

---

Mr. Gomes, again, you completely miss the point. You can only play the victim when you truly are a victim. You owe Mr. Rowell a written apology. This is not about me, but about you and your inability to treat people with respect and courtesy and now your having gone way over the line.

You have a choice. You can submit a sincere written apology to Mr. Rowell through me, or you can wait to be served a defamation lawsuit by Mr. Rowell and deal with his attorneys. Your choice. My deadline still stands.

On Wed, Oct 16, 2013 at 8:49 PM, jeff.gomes <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)> wrote:

Ted,

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Tel: [808.933.1919](tel:808.933.1919)  
email: [sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Cc:** [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); [jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us); [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)  
**Subject:** Re: Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Thursday, October 17, 2013 8:58:40 AM

---

Ted,

Your threat has been received and I feel threatened. I am seriously reassessing my position as you advised and ask you to please send me a sample apology letter that I may use as a guide in hopes that I may possibly appease you.

If it is not to much trouble would you be so kind and remove the video from the internet which targets my home.

Jeff Gomes  
Owner  
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16-175 Melekahiwa Street #1  
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[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Oct 17, 2013, **Ted Hong** <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)> wrote:

Mr. Gomes, again, you completely miss the point. You can only play the victim when you truly are a victim. You owe Mr. Rowell a written apology. This is not about me, but about you and your inability to treat people with respect and courtesy and now your having gone way over the line.

You have a choice. You can submit a sincere written apology to Mr. Rowell through me, or you can wait to be served a defamation lawsuit by Mr. Rowell and deal with his attorneys. Your choice. My deadline still stands.

On Wed, Oct 16, 2013 at 8:49 PM, jeff.gomes <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)> wrote:

Ted,

Your continued anger and hate towards me and my family are clear and I beg you to forgive me. I hope it is just your job and not the way you truly feel towards me and my family. Ever since Eric Boyd took pictures of my home while my wife and daughter were getting dressed to go out for the day, posted it on the internet for your supporters to target and vandalize my property and two days later when you attacked me at my home in front of Jeff Darrow, Theresa Dunham and my neighbors our life has been a living hell. The vandalism to our property finally subsided a few months ago and I beg you not to have your supporters start up again as we live in constant fear of "when will they make their way up to our house." I am at your mercy and will do as you say.

I am seriously reassessing my position as you advised and ask you to please

send me a sample apology letter that I may use as a guide in hopes that I may possibly appease you.

This is my first contested case hearing and hopefully my last. I am not sure what appropriate behavior is in and around the hearing, but if you send me a guide I promise to study it and try my best to abide by it. My family and I live in constant fear of when you or one of your supporters will show up again at our home and hope it never escalates to that level. Please accept my apology for making you upset and try to find it in your heart not to target me and my family. Again I hope it is just your job to target someone in the community and not the way you truly feel about us.

Until last year, I had no idea how important Phillip Rowell's testimony and work are to my family, neighbors and myself. He has the ability to save lives. He is a very, very important person and I recognize that. I have attached photos of today's accident on Kaumana Drive.

I look forward to your sample letter, guide lines and hope that someday in the future you might again welcome me as a sign waver at your next campaign.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
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Mr. Gomes, that is NOT an apology or anything close to it. I don't know what kind of game you think you're playing. But your email was published to a wide number of sources to which Mr. Rowell routinely submits reports to. His reputation and standing in that professional community is important to his livelihood. Your defamatory statements are patently offensive, insulting and that you published them to people in the planning profession is reprehensible.

You better seriously reassess your position on this and my deadline for a formal written apology to Mr. Rowell still stands.

Ted H. S. Hong

On Wed, Oct 16, 2013 at 10:52 AM, jeff gomes <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)> wrote:

Sorry Phillip.

Aloha,

Jeff Gomes

Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
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Mr. Gomes, your intemperate response is defamatory and actionable. Mr. Rowell is a well known traffic engineer and has worked on many projects including Mr. Fuke's last project on Kaumana Drive. Your statements are offensive and insulting and I expect a written apology from you.

If you cannot control yourself and act appropriately, or with some courtesy in these proceedings, I suggest you withdraw from these proceedings. If you fail to submit a written apology to Mr. Rowell to me by 2:00 p.m., October 18, 2013, I will advise Mr. Rowell about his legal options.

Ted H. S. Hong

On Tue, Oct 15, 2013 at 4:47 PM, Sue Lee Loy of TedHongLaw <[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)> wrote:

Dear Hearing Officer Song:

Attached please see the Applicants request for additional hearing date.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: 808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Ted Hong](#)  
**To:** [jeff.gomes](#); [TedHongLaw -- Sue; Self, Amy; Arai, Darvn; Darrow, Jeff; sandrasong@hawaiiintel.net; Carter Siu; Fujimoto, Phyllis; sidfuke@hawaiiintel.net](#)  
**Subject:** Re: Connections Contested Case - SP No. 12-00138 - Request for additional hearing date  
**Date:** Thursday, October 17, 2013 9:14:24 AM

---

Mr. Gomes, I have no idea (video) what you are talking about. I do not work for you. If you didn't understand earlier, let me again repeat, you need to submit a sincere, written apology to Mr. Rowell. Again, you chose to defame Mr. Rowell, you need to correct what you did or accept the consequences of your actions.

On Thu, Oct 17, 2013 at 8:58 AM, jeff.gomes <[kalanigomes@hawaiiintel.net](mailto:kalanigomes@hawaiiintel.net)> wrote:

Ted,

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Aloha,

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me by 2:00 p.m., October 18, 2013, I will advise Mr. Rowell about his  
legal options.

Ted H. S. Hong

On Tue, Oct 15, 2013 at 4:47 PM, Sue Lee Loy of TedHongLaw  
<[sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)> wrote:

Dear Hearing Officer Song:

Attached please see the Applicants request for additional hearing  
date.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel: [808.933.1919](tel:808.933.1919)  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Sue Lee Loy of TedHong@law](mailto:Sue.Lee.Loy.of.TedHong@law)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Self, Amy](#); [jdarrow](#); [jeff.gomes](#); [Carter Siu](#); [Darvin Arai](#); [Ted Hong](#); [Gina Lum](#); [Holly.T.Shikada@hawaii.gov](mailto:Holly.T.Shikada@hawaii.gov); [Kualii, Jennifer](#)  
**Subject:** Connections Contested Cases - SP No. 12-00138 - Applicant Joint Pre-Hearing Brief  
**Date:** Thursday, October 17, 2013 9:56:54 AM  
**Attachments:** [Applicants Joint PreHearing Brief.pdf](#)

---

Dear Hearings Officer Song:

Attached please find Applicant Connections and CBESS Joint Pre-Hearing Brief.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
[email:sue.leeloy@hotmail.com](mailto:sue.leeloy@hotmail.com)

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**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Darrow, Jeff](#)  
**Subject:** FW: Connections CCH  
**Date:** Friday, October 18, 2013 12:16:51 PM

---

Sandy,

See potential additional hearing dates below (highlighted), which is reserved on first come, first served basis.

So let's get the parties to agree on multiple dates, and I will confirm availability later.

Thanks

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

---

**From:** Nomura, Sharon  
**Sent:** Friday, October 18, 2013 12:14 PM  
**To:** Arai, Daryn  
**Cc:** Fujimoto, Phyllis; Darrow, Jeff  
**Subject:** RE: Connections CCH

Aupuni Center available Nov. 21 only

State Building Conference Rooms A, B & C available Nov. 12, 13, and 21.

Reservation needs to be made as soon as possible otherwise someone else will take it, especially Aupuni Center.

---

**From:** Arai, Daryn  
**Sent:** Friday, October 18, 2013 11:44 AM  
**To:** Nomura, Sharon  
**Cc:** Fujimoto, Phyllis; Darrow, Jeff  
**Subject:** Connections CCH

Sharon,

Please check Aupuni Center or State Building for availability for one extra day of CCH hearing for Connections.

The additional hearing date should be between:

1. November 11 thru 15; or
2. November 18 thru 22

Let me know what dates are available so we can inform the presiding officer at next week's meeting.

Thanks  
Daryn

**From:** Sue Lee Loy of TedHongLaw  
**To:** sandrasong@hawaiiantel.net; Self, Amy; jdarrow; jeff.gomes; Carter Siu; Darvn Arai; Ted Hong; Gina Lum; Holly.T.Shikada@hawaii.gov; Kualii, Jennifer  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, October 18, 2013 5:28:22 PM  
**Attachments:** Joint PreHearing Brief - REVISED PAGE 10.pdf

---

Dear Hearing Officer Song - Page 10 of our Joint PreHearing Brief contained a typo. At the bottom of page 10 under Rule 6-3(b)5(C) "Based upon the comments received from various public agencies, the following will be done to ensure that the proposed use shall burden public agencies." The statement should read as **shall not burden** public agencies.

Attached please find our Revised Page 10. The Original and additional copies will be presented at the Contested Case Hearing. Aloha Piha Sue

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email: [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)

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**From:** Peng  
**To:** sandrasong@hawaiiantel.net  
**Subject:** subpoena for Connections  
**Date:** Sunday, October 20, 2013 11:22:11 AM

---

Dear Ms. Song,

I apologize for the short notice. ♦ However, I just received the amended subpoena today, Sunday Oct 20.

The original subpoena stated that my presence was required between 10:30AM-11:30AM on Tuesday Oct 22.

I am a Physician Radiologist covering ER patients and inpatients at Hilo Medical Center that day. ♦ I have blocked off time to be present as requested for the hour on the original subpoena.

However, the amended subpoena now states the time to be "10:30AM or until such time your testimony may be heard". ♦

It would be detriment to the healthcare coverage of the community if I did not return to Hilo Medical Center to perform my duties as a physician beyond 11:30AM as stated on the original subpoena.

Please advise. ♦ Thank you for your time.

Ming Peng, MD  
Hawaii Radiologic Associates, Ltd  
Hilo, HI

**From:** Peng  
**To:** sandrasong@hawaiiantel.net  
**Subject:** Re[2]: subpoena for Connections  
**Date:** Monday, October 21, 2013 8:32:18 AM

---

Thank you.

Ming Peng, MD

Hawaii Radiologic Associates, Ltd

Hilo, HI

-----Original Message-----

Subject: RE: subpoena for Connections  
From: "Sandra Song" <sandrasong@hawaiiantel.net>  
To: Peng <peng@hirad.com>  
Date: 2013/10/21 20:24:50

Dr. Peng,

Based upon your circumstances, we will make certain to take your testimony at or around 10:30 a.m. on Tuesday, October 22, 2013.

Sandra Song  
Hearing Officer

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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-----Original Message-----

From: Peng [mailto:peng@hirad.com]  
Sent: Sunday, October 20, 2013 11:22 AM  
To: sandrasong@hawaiiantel.net  
Subject: subpoena for Connections

Dear Ms. Song,

I apologize for the short notice.? However, I just received the amended subpoena today, Sunday Oct 20.

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I am a Physician Radiologist covering ER patients and inpatients at Hilo Medical Center that day.? I have blocked off time to be present as requested for the hour on the original subpoena.

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Please advise.? Thank you for your time.

Ming Peng, MD  
Hawaii Radiologic Associates, Ltd  
Hilo, HI

**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Darrow, Jeff](#); [Fujiimoto, Phyllis](#)  
**Subject:** Connections CCH - request for intervention  
**Date:** Monday, October 28, 2013 11:22:30 AM

---

Sandy,

Just got a verbal message from Terrence Yoshioka this morning that he would like to intervene in the proceedings.

I would say "no" pursuant to Section 4-6(a) of the PC Rules of Practice and Procedure that states, **In all proceedings where the Commission's action is directly appealable to Circuit Court, the applicant and the Planning Director will be designated parties to the action. Any other person seeking to intervene as a party shall file a written request on a form approved by the Planning Director and accompanied by a filing fee of two hundred dollars no later than seven calendar days, prior to the Commission's first meeting on the matter.** If the applicant files a request with the Commission for the deferral or continuance of the hearing prior to the commencement of the hearing, the next regularly scheduled meeting of the Commission will then be considered the subsequent rescheduled hearing date. If the request for intervention is withdrawn in writing before the commencement of the hearing, the filing fee shall be refunded to the person seeking standing to intervene.

I would like to confirm this with you, and as presiding officer, protocol dictates that I forward his request to you for a formal determination since I, as staff, cannot make such decisions on my own. I can give him your thoughts, and to submit a written request to you if he wants to pursue it just to get things in the record.

Let me know what you suggest.

Thanks  
Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawaii'i County is an equal opportunity provider and employer"*

**From:** Sandra Song  
**To:** "ted@tedhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy.Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, October 30, 2013 4:15:00 PM

---

Parties,

As you are aware, we continued the evidentiary hearing in the above-referenced case to November 12, 2013, in order to allow Ted Hong to call two witnesses who were unavailable for the hearing on October 21 and 22; Phillip Rowell, a Traffic Engineer, and Bobby Jean Leithead Todd, former planning director. We also agreed that since we were continuing the hearing, we would conduct a site inspection of the property. There was no request by any party to call other witnesses as part of their case in chief.

Today I received a request from Mr. Hong's office to issue subpoenas for the attendance of additional witnesses, Sidney Fuke and Layne Novak. Both of these witnesses were named on Connections' witness list but were not called at the October 21 and 22 hearing. These subpoenas have not yet been issued because of technical errors in the documents, but I intend to sign these subpoenas once they are corrected and submitted in accordance with the Planning Commission rules.

I am, however, concerned about the fairness of this proceeding to all parties. Accordingly, I am providing notice to all of the remaining parties that I will permit Mr. Gomes and Ms. Self to call any additional witnesses they choose to testify who were listed on their witness lists filed in this proceeding since Mr. Hong is intending to call witnesses in addition to Mr. Leithead Todd and Mr. Rowell. Since Mr. Siu has joined Mr. Hong with his presentation, I am assuming that he has no separate witnesses to call to testify at this proceeding.

With respect to any further requests for the issuance of subpoenas, including the present request by Mr. Hong, please note that we are starting the hearing at 8:30 a.m. to take public testimony. I anticipate the public testimony to take approximately 1/2 hour based upon the prior public testimony. We will then proceed to the site visit, and I anticipate returning to the State Building for the remainder of the testimony at approximately 10:30 a.m. Please be advised that I will not sign any subpoena requiring the appearance of any witness prior to 10:30 a.m. on November 12. I also ask that you refrain from having all witnesses subpoenaed appear at the same time.

Also note that the Planning Commission rules require that requests for subpoenas must be submitted at least **5 working days prior to the hearing**. For the October 21 and 22 hearing I received requests for issuance of subpoenas as late as the Friday before the hearing or 1 working day prior to the hearing. Please be advised that I will only sign and issue subpoenas for the November 12 hearing that are received in my office at least 5 working days prior to the hearing, or by November 5, 2013. Any request for a subpoena to be issued after November 5, 2013 will be rejected pursuant to the Planning Commission Rules.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
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Fax: (808) 935-4853

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Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, October 31, 2013 8:16:44 AM

---

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Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Oct 30, 2013, **Sandra Song** <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Subject:** Re: FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, October 31, 2013 11:01:52 AM

---

I apologize. I thought it went out automatically.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

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Sandra P. Song

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**From:** jeff gomes [<mailto:kalanigomes@hawaiiantel.net>]  
**Sent:** Thursday, October 31, 2013 8:17 AM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

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**From:** [Sandra Song](mailto:Sandra.Song)  
**To:** ["ted@tedhonglaw.com"](mailto:ted@tedhonglaw.com); ["Carter.K.Siu@hawaii.gov"](mailto:Carter.K.Siu@hawaii.gov); ["kalanigomes@hawaiiantel.net"](mailto:kalanigomes@hawaiiantel.net); ["sidfuke@hawaiiantel.net"](mailto:sidfuke@hawaiiantel.net); ["Amy Self"](#)  
**Cc:** ["daral@co.hawaii.hi.us"](mailto:daral@co.hawaii.hi.us); ["Darrow, Jeff"](#); ["Fujimoto, Phyllis"](#)  
**Subject:** FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, October 31, 2013 9:13:00 AM

---

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Thank you.

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**Sent:** Thursday, October 31, 2013 8:17 AM  
**To:** sandrasong@hawaiiantel.net  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

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**From:** Amy Self  
**To:** sandrasong@hawaiiintel.net; ted@tedhonglaw.com; Carter.K.Siu@hawaii.gov; kalanigomes@hawaiiintel.net; sidfuke@hawaiiintel.net  
**Cc:** Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis; Kualii, Jennifer  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, October 31, 2013 8:59:18 AM

---

Hearing Officer Song and Parties,

I only have one witness on my witness list, Duane Kanuha, the current Planning Director. Although Mr. Kanuha has already testified, I would like to call him as my witness at the next hearing to ask him only two questions. He will be available on November 12 after 10:30 a.m.

---

**From:** Sandra Song [mailto:sandrasong@hawaiiintel.net]  
**Sent:** Wednesday, October 30, 2013 4:16 PM  
**To:** ted@tedhonglaw.com; Carter.K.Siu@hawaii.gov; kalanigomes@hawaiiintel.net; sidfuke@hawaiiintel.net; Self, Amy  
**Cc:** Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** Connections New Century Public Charter School, SPP 12-000138

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**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Fujiimoto, Phyllis](#); [Darrow, Jeff](#)  
**Subject:** Connections New Century Public Charter School/CBESS SPP Contested Case - Yoshioka Petition for Intervention  
**Date:** Tuesday, November 05, 2013 1:31:12 PM  
**Attachments:** [COR-13-088376.pdf](#)

---

Sandy,

Please find attached a copy of the petition for standing in a contested case proceeding submitted by Terence Yoshioka on November 4, 2013 along with the required filing fee.

I have not redacted personal information like mailing address and phone number, check, etc. If you wish me to white-out these bits of info before you release to parties, let me know.

Thanks

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawaii County is an equal opportunity provider and employer"*

**From:** [Arai, Daryn](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** Petition for Intervention  
**Date:** Tuesday, November 05, 2013 3:23:20 PM  
**Attachments:** [COR-13-088376.pdf](#)

---

Sandy,

Here is the petition without the check for the filing fee.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

**From:** Sue Lee Loy of TedHongLaw  
**To:** Ted Hong; sandrasong@hawaiiantel.net; Self, Amy; jdarrow; jeff.gomes; Carter Siu; Daryn Arai; Kualii Jennifer; Gina Lum; Holly.T.Shikada@hawaii.gov  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Tuesday, November 05, 2013 3:13:39 PM  
**Attachments:** Errata to Joint Prehearing Brief (Hong-Siu).pdf

---

Dear Hearing Officer Song: Per your instructions at the Oct. 21, 2013 hearing, attached please find Errata to Applicants Connections/CBESS Joint Pre-Hearing Brief and Certificate of Service. As always, should you have any questions, please feel free to contact Mr. Hong. Aloha Piha Sue

On Wed, Oct 30, 2013 at 4:17 PM, Ted Hong <ted@tedhonglaw.com> wrote:

----- Forwarded message -----

**From:** **Sandra Song** <sandrasong@hawaiiantel.net>  
**Date:** Wed, Oct 30, 2013 at 4:15 PM  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**To:** ted@tedhonglaw.com, Carter.K.Siu@hawaii.gov, kalanigomes@hawaiiantel.net, sidfuke@hawaiiantel.net, Amy Self <aself@co.hawaii.hi.us>  
**Cc:** darai@co.hawaii.hi.us, "Darrow, Jeff" <jdarrow@co.hawaii.hi.us>, "Fujimoto, Phyllis" <pfujimoto@co.hawaii.hi.us>

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--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email: [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aseif@co.hawaii.hi.us](mailto:aseif@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** UPDATED WITNESS LIST  
**Date:** Wednesday, November 06, 2013 12:41:54 AM  
**Attachments:** [JG WITNESS LIST UPDATED.docx](#)

---

Dear Hearings Officer,

This is my updated witness list.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

**From:** [Sandra\\_Song](mailto:Sandra_Song)  
**To:** ["ted@tedhonglaw.com"](mailto:ted@tedhonglaw.com); ["Carter.K.Siu@hawaii.gov"](mailto:Carter.K.Siu@hawaii.gov); ["kalanigomes@hawaiiantel.net"](mailto:kalanigomes@hawaiiantel.net); ["sidfuke@hawaiiantel.net"](mailto:sidfuke@hawaiiantel.net); ["Amy\\_Self"](mailto:Amy_Self)  
**Cc:** ["darai@co.hawaii.hi.us"](mailto:darai@co.hawaii.hi.us); ["Darrow\\_Jeff"](mailto:Darrow_Jeff); ["Fujimoto\\_Phyllis"](mailto:Fujimoto_Phyllis)  
**Subject:** FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, November 06, 2013 2:31:00 PM  
**Attachments:** [Yoshioka-Petition for Intervention.pdf](#)

---

Parties,

I received a copy of the attached Petition for Intervention from Terrence Yoshioka, which was submitted to the Planning Department on November 4, 2013, together with the required filing fee for intervention. The Corporation Counsel's office has informally advised us that as hearing officer I should be ruling on this petition.

In light of the timing of this petition and the upcoming continued hearing of November 12, 2013, I am asking all of the parties to provide me with their response to this petition by 4:00 p.m. on Friday November 8, 2013.

I will make a ruling on this matter as soon as I receive the responses from all parties, and will provide all of the parties with my response via e-mail. If I do not receive a response from any party by the deadline I have set, I will assume that the party not responding has no objection to this request.

Please note that I have not included Mr. Yoshioka in this e-mail because I have not been provided with his e-mail address. I will, however, be forwarding a copy of this e-mail to him as soon as I obtain this e-mail address.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Ted Hong](mailto:Ted.Hong)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** [Carter Siu](mailto:Carter_Siu); [jeff.gomes](mailto:jeff.gomes); [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net); [Amy Self](mailto:Amy_Self); [Arai Darvn](mailto:Arai_Darvn); [Darrow Jeff](mailto:Darrow_Jeff); [Fujimoto Phyllis](mailto:Fujimoto_Phyllis)  
**Subject:** Re: FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, November 06, 2013 3:04:20 PM

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Thank you. I strongly object to this obvious tactic. This unfairly prejudices my client. First, we are near the end of our presentation and witnesses. Allowing intervention will expand the proceedings because I have the opportunity to call additional witnesses.

Second, Mr. Yoshioka has had ample time to participate in this case. He testified twice before the Planning Commission and submitted his written legal opinion. He also testified at the hearing, helped craft questions for Mr. Gomes and even consulted with an active lawyer (presumably on more than one occasion) concerning what questions and strategy Mr. Gomes could have utilized. I would note that not only Mr. Fuke and Mr. Yoshioka Mr. Yoshioka has sat on his hands and only now tries to manipulate the process. I would also point out that in the subpoena duces tecum, some of the documents produced indicate that Mr. Yoshioka, Mr. Fuke, Mr. Gomes and others, have been strategizing, plotting and actively coordinating their case. There is nothing that Mr. Yoshioka has not done in this case, without being formally charged with practicing law without a license.

Third, I have only been given this Petition now and not been adequately served under the rules.

Fourth, this petition is untimely. Mr. Yoshioka was required to serve the Petition to Intervene **before** the hearing starts. He is obviously trying to create an appealable issue.

I will submit a formal, written response.

Ted

On Wed, Nov 6, 2013 at 2:31 PM, Sandra Song <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:

Parties,

I received a copy of the attached Petition for Intervention from Terrence Yoshioka, which was submitted to the Planning Department on November 4, 2013, together with the required filing fee for intervention. The Corporation Counsel's office has informally advised us that as hearing officer I should be ruling on this petition.

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Please note that I have not included Mr. Yoshioka in this e-mail because I have not been provided with his e-mail address. I will, however, be forwarding a copy of this e-mail to him as soon as I obtain this e-mail address.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** Ted Hong  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** Carter Siu; jeff.gomes; [sidfuke@hawaiiintel.net](mailto:sidfuke@hawaiiintel.net); Amy Self; Araj, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** Re: FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, November 06, 2013 3:09:15 PM

---

I would also note that Mr. Yoshioka's affidavit was notarized on October 31, 2013. But they waited to file it until November 4, 2013. Instead of the professional courtesy of filing it on November 1, 2013. And if you compare the fonts on both Mr. Yoshioka's and Mr. Gomes' affidavit, whomever typed them, most likely the Nakamoto, Yoshioka and Okamoto law firm, had already prepared them. So there was no reason to wait until this late date to submit the Petition.

Again, I will submit a formal, written response.

On Wed, Nov 6, 2013 at 2:31 PM, Sandra Song <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:

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Thank you for your cooperation.

Sandra P. Song

Attorney at Law

10 Kamehameha Ave.

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**From:** Sid Fuke  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); "Amy Self"  
**Cc:** [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 1:54:17 PM

---

Dear Ms. Song:

The two subpoena signed by you were placed under my door today. Although not being personally served, I will acknowledge their receipt. The first relates to my appearance on Tuesday November 12, 2013 beginning at 11:15 a.m. I will be there.

I am totally dumbfounded and befuddled by the second one though – the Subpoena Duces Tecum. And here is where I would appreciate some clarification of the order to bring items with me, as it amounts to my bringing nearly everything I have done over the past 2 years. I think that is really over-reaching and, needless to say, borders on harassment. Let me list the ordered items with my comments:

1. Curriculum Vitae - okay, although it is not updated but one that I have provided to those who request.
  2. All reports, opinions, etc. that I have authored, co-authored, provided data for the past 2 years relating to HRS 343. This relates to the EIS law. I have not prepared any Chapter 343 EA during this period. However, as part of client due diligence – which is PROPRIETARY – I have provided information relating to HRS 343. What do you want me to do with those proprietary document?
  3. All reports, etc. relating to Chapter 205A. This relates to the Special Management Area requirement. I have prepared and processed a number of major and minor SMA applications during this period. What relevance does this have, inasmuch as the subject request is for a Special Permit and not SMA? Then, too, some of my due diligence work for clients involved discussions relating to the SMA requirement. Do I produce ALL of the SMA applications that I have prepared...and what of the proprietary, due diligence work?
  4. All reports, etc. relating to HAR Section 15 relating to the Land Use Commission. I have not prepared any applications, although like the above, have provided information to clients on a proprietary basis to clients. Do I provide these products?
  5. All reports, etc. relating to HAR Section 15 relating to the LUC. Same response as #4.
  6. All reports, etc. relating to Special Permit. Same response and question as item # 3.
  7. All reports, etc. relating to Use Permit. Same response and question as item #3.
  8. All reports, etc. relating to Variance. Same response and question as item #3.
  9. All reports, etc. relating to Water Variance. Same response and question as item #3.
  10. All reports, etc. relating to rezoning application. Same response and question as item #3.
  11. All reports, etc. relating to SMA. Same response and question as item #3.
  12. Any and all reports relating to Connections. I made two presentations to the Windward Planning Commission and these are already part of the record. Do you still want them?
  13. Any and all correspondences from the "group Kaumana community association".
- One final note or question, is someone going to pay for the time to assemble almost all of my work the past two years and the copying costs? Thank you.

Sid



**From:** [Ted Hong](mailto:Ted.Hong)  
**To:** [Sid Fuke](mailto:Sid.Fuke)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter Siu](mailto:Carter.Siu); [jeff.gomes](mailto:jeff.gomes); [Amy Self](mailto:Amy.Self); [Aral Darvo](mailto:Aral.Darvo); [Darrow, Jeff](mailto:Darrow.Jeff); [Fujimoto, Phyllis](mailto:Fujimoto.Phyllis)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 2:26:32 PM

---

And I forgot to mention, that when I am allowed to cross examine and his refusal to bring documents pursuant to a lawful subpoena is confirmed under oath, I will be asking for the appropriate sanctions.

On Thu, Nov 7, 2013 at 2:25 PM, Ted Hong <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)> wrote:  
Ms. Song: I submitted a subpoena for Mr. Nakamoto, because Mr. Nakamoto was the Notary for Mr. Yoshioka. We only received Mr. Yoshioka's affidavit yesterday. I ask you to reconsider the denial of the subpoena for Mr. Yoshioka.

In terms of Mr. Fuke's objections, he can raise them at the hearing and I am surprised that someone of his wealth and stature would ask for money for his time in this important process. He has been directly bankrolling this litigation and I'm sure he would want to continue. My client is only obligated to pay for the mileage and witness fee.

Thank you.

On Thu, Nov 7, 2013 at 1:54 PM, Sid Fuke <[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)> wrote:

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Thank you.

Sid

**From:** [Ted Hong](#)  
**To:** [Sid Fuke](#)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter Siu](#); [jeff.gomes](#); [Amy Self](#); [Arai, Darvin](#); [Darrow, Jeff](#); [Fujimoto, Phyllis](#)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 2:25:02 PM

---

Ms. Song: I submitted a subpoena for Mr. Nakamoto, because Mr. Nakamoto was the Notary for Mr. Yoshioka. We only received Mr. Yoshioka's affidavit yesterday. I ask you to reconsider the denial of the subpoena for Mr. Yoshioka.

In terms of Mr. Fuke's objections, he can raise them at the hearing and I am surprised that someone of his wealth and stature would ask for money for his time in this important process. He has been directly bankrolling this litigation and I'm sure he would want to continue. My client is only obligated to pay for the mileage and witness fee.

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**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); [jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us); [pfujimoto@co.hawaii.hi.us](mailto:pfujimoto@co.hawaii.hi.us)  
**Subject:** Re: FW: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 2:31:30 AM  
**Attachments:** [photo-104.JPG](#)  
[photo-105.JPG](#)

---

Mr. Yoshioka did notarize the affidavit on October 31, 2013 and I was to notarize mine on November 1, 2013 and return it to him. Unfortunately, November 1, 2013, on my way to get my vehicle safety checked and the affidavit notarized, my vehicle was hit from behind at a high rate of speed. Luckily, the adults and the baby in the car that hit me were not injured, I was not badly injured and the owner of the other car had insurance. I informed Mr. Yoshioka that I would not be able to continue for the day but did not realize I needed to inform Mr. Hong. Please remember that Kaumana Drive is very dangerous and lets all drive defensively.

Aloha,

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekahiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Nov 06, 2013, **Ted Hong** <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)> wrote:

I would also note that Mr. Yoshioka's affidavit was notarized on October 31, 2013. But they waited to file it until November 4, 2013. Instead of the professional courtesy of filing it on November 1, 2013. And if you compare the fonts on both Mr. Yoshioka's and Mr. Gomes' affidavit, whomever typed them, most likely the Nakamoto, Yoshioka and Okamoto law firm, had already prepared them. So there was no reason to wait until this late date to submit the Petition.

Again, I will submit a formal, written response.

On Wed, Nov 6, 2013 at 2:31 PM, Sandra Song <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:

Parties,

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Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
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**From:** Sandra Song  
**To:** "ted@tedhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy.Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 3:39:00 PM

---

Dear Parties:

I am scheduling a pre-hearing conference via telephone for tomorrow, October 8, 2013 at 3:15 p.m. to discuss some technical matters regarding the above-referenced contested case hearing. You can either participate by phone with the Planning Commission staff phoning you at the phone number they have for you, or you can attend by appearing at the Planning Department conference room.

The time for this re-hearing conference is set for 3:15 p.m. since there is a Board of Appeals meeting where some of you may be present. There is also a State Bar Association continuing education class which runs until 3:00 p.m. If you can be reached at a different phone number please contact either Daryn or Jeff with your alternate number.

I hope all of you can participate in this pre-hearing conference. However, if you are unable to attend, please contact Daryn or Jeff.

Thank you.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Sue Lee Loy of TedHongLaw](mailto:Sue.Lee.Loy.of.TedHongLaw)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net); [jeff.gomes](mailto:jeff.gomes); [jdarrow](mailto:jdarrow); Darvn Arai; Self, Amy; Carter Siu; Gina Lum; [Holly.T.Shikada@hawaii.gov](mailto:Holly.T.Shikada@hawaii.gov); Kualii, Jennifer  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 8:16:37 AM  
**Attachments:** [FORMS - Liability Waiver Form \(Access to Property\).doc](#)

---

Dear Hearing Officer Song and Parties: As, discussed attached please find the Applicant's Release and Indemnification Agreement for the Site Visit scheduled for November 12, 2013. All individuals shall execute a copy of this Release prior to access onto the Property. Our office will also have additional copies available on November 12, 2013. Malama Pono Sue

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email: [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)

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**From:** Daryn Arai  
**To:** Song Sandra P.  
**Subject:** Connections  
**Date:** Thursday, November 07, 2013 10:57:16 AM

---

Connections.

Go with 3pm teleconference. There is boa tmrw and Amy self needs to be there. Should Pau by mid afternoon. She can then run over to teleconf. Btw. Ted hong is at pc with us with his client. Let me know if u want me to ask him when we break.

Sent from Daryn's iPhone=

**From:** Amy Self  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); Self, Amy  
**Cc:** Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis; Kualii, Jennifer  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 07, 2013 10:52:20 AM

---

Dear Hearing Officer Song:

In response to your request below, the Planning Director has no objection to the Petition for Intervention submitted by Terrence Toshioka to the Planning Department on November 4, 2013.

---

**From:** Sandra Song [<mailto:sandrasong@hawaiiantel.net>]  
**Sent:** Wednesday, November 06, 2013 2:31 PM  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); Self, Amy  
**Cc:** Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** FW: Connections New Century Public Charter School, SPP 12-000138

Parties,

I received a copy of the attached Petition for Intervention from Terrence Yoshioka, which was submitted to the Planning Department on November 4, 2013, together with the required filing fee for intervention. The Corporation Counsel's office has informally advised us that as hearing officer I should be ruling on this petition.

In light of the timing of this petition and the upcoming continued hearing of November 12, 2013, I am asking all of the parties to provide me with their response to this petition by 4:00 p.m. on Friday November 8, 2013.

I will make a ruling on this matter as soon as I receive the responses from all parties, and will provide all of the parties with my response via e-mail. If I do not receive a response from any party by the deadline I have set, I will assume that the party not responding has no objection to this request.

Please note that I have not included Mr. Yoshioka in this e-mail because I have not been provided with his e-mail address. I will, however, be forwarding a copy of this e-mail to him as soon as I obtain this e-mail address.

Thank you for your cooperation.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720

Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Sandra Song](#)  
**To:** "[Daryn Arai](#)"  
**Subject:** RE: Connections  
**Date:** Thursday, November 07, 2013 12:36:00 PM

---

Yes, please! Ask him if he is available for tel conf. at 3:15 p.m. tomorrow.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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-----Original Message-----

From: Daryn Arai [[mailto:d\\_arai@hotmail.com](mailto:d_arai@hotmail.com)]  
Sent: Thursday, November 07, 2013 10:57 AM  
To: Song Sandra P.  
Subject: Connections

Connections.

Go with 3pm teleconference. There is boa tmrw and Amy self needs to be there. Should Pau by mid afternoon. She can then run over to teleconf. Btw. Ted hong is at pc with us with his client. Let me know if u want me to ask him when we break.

Sent from Daryn's iPhone=

**From:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** "Amy\_Self"; [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); "Darrow, Jeff"; [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); "Fujimoto, Phyllis"; [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, November 08, 2013 10:10:14 AM

---

I am available via telephone. (808) 586-1255.

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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From: "Sandra Song" <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)>  
To: <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)>, <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)>, <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)>, <[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)>, "Amy Self" <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)>  
Cc: <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)>, "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>, "Fujimoto, Phyllis" <[pfujimoto@co.hawaii.hi.us](mailto:pfujimoto@co.hawaii.hi.us)>  
Date: 11/07/2013 03:39 PM  
Subject: Connections New Century Public Charter School, SPP 12-000138

---

Dear Parties:

I am scheduling a pre-hearing conference via telephone for tomorrow, October 8, 2013 at 3:15 p.m. to discuss some technical matters regarding the above-referenced contested case hearing. You can either participate by phone with the Planning Commission staff phoning you at the phone number they have for you, or you can attend by appearing at the Planning Department conference room.

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I hope all of you can participate in this pre-hearing conference. However, if you are unable to attend, please contact Daryn or Jeff.

Thank you.

Sandra P. Song

Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Gina.M.Lum@hawaii.gov](mailto:Gina.M.Lum@hawaii.gov)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [aseif@co.hawaii.hi.us](mailto:aseif@co.hawaii.hi.us); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us); [jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Cc:** [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)  
**Subject:** Connections New Century Public Charter School, et al. Application for Special Permit Application; SPP No. 12-000138  
**Date:** Friday, November 08, 2013 11:27:58 AM  
**Attachments:** [DOC832.pdf](#)

---

**Sandra P. Song**, Esq., Hearings Officer / **Ted H.S. Hong**, Esq. / **Amy Self**, Esq. / **Jeff Gomes** / **Daryn Arai** and **Jeff Darrow**,

Re: Connections New Century Public Charter School and Community Based Education Support Services; Application for Special Permit Application No. 12-000138

Attached please find Applicant Connections New Century Public Charter School's Objection to Terence Yoshioka's Petition for Standing in a Contested Case Hearing; Certificate of Service dated November 8, 2013, for your review and records. Please note that a hard copy will be mailed to you via U.S. Mail, postage prepaid on November 8, 2013.

Should there be any questions and/or comments, please do not hesitate to contact Carter K. Siu, Deputy Attorney General at 586-1255. Thank you very much for your time and attention to this matter.



Gina Lum  
State of Hawai'i  
Department of the Attorney General  
Education Division  
Telephone: (808) 586-1326  
Facsimile: (808) 586-1488

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**From:** [TedhongLaw -- dd](#)  
**To:** [Ted Hong](#); [TedHongLaw -- Sue](#); [Christine Peria](#); [sandrasong@hawaiiantel.net](#); [carter.k.siu@hawaii.gov](#); [aseif@co.hawaii.hi.us](#); [kalanigomes@hawaiiantel.net](#); [darai@co.hawaii.hi.us](#); [jdarrow@co.hawaii.hi.us](#); [alan@noyhawaii.com](#)  
**Subject:** Sidney Fuke - Subpoena  
**Date:** Friday, November 08, 2013 2:47:48 PM  
**Attachments:** [Subpoena - Sidney Fuke, Return of Service, Declaration.pdf](#)

---

Dear All,

Please see the attached documents for your records.

Thank You,

--

Dd Castillo,  
Paralegal to Ted H.S. Hong  
P.O. Box 4217  
Hilo, Hawaii 96720  
Telephone: 808-933-1919

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**From:** [Ted Hong](#)  
**To:** [Carter Siu](#)  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Amy Self](#); [Arai Darvn](#); [Darrow, Jeff](#); [jeff.gomes](#); [Fujimoto, Phyllis](#); [Sid Fuke](#); [Gina Lum](#)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, November 08, 2013 3:23:08 PM

---

I thought there was going to be a telephone conference. I have to leave the office no later than 4 pm today. Could you provide me another date and time since this looks like it will not happen today?

On Fri, Nov 8, 2013 at 10:09 AM, <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)> wrote:  
I am available via telephone. (808) 586-1255.

Carter K. Siu  
Deputy Attorney General  
Education Division  
235 S. Beretania Street, Rm 304  
Honolulu, HI 96813  
Phone: 586-1255  
Fax 586-1488

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From: "Sandra Song" <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)>  
To: <[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)>, <[Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov)>, <[kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net)>, <[sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net)>, "Amy Self" <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)>  
Cc: <[darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)>, "Darrow, Jeff" <[jdarrow@co.hawaii.hi.us](mailto:jdarrow@co.hawaii.hi.us)>, "Fujimoto, Phyllis" <[pfujimoto@co.hawaii.hi.us](mailto:pfujimoto@co.hawaii.hi.us)>  
Date: 11/07/2013 03:39 PM  
Subject: Connections New Century Public Charter School, SPP 12-000138

---

Dear Parties:

I am scheduling a pre-hearing conference via telephone for tomorrow, October 8, 2013 at 3:15 p.m. to discuss some technical matters regarding the above-referenced contested case hearing. You can either participate by phone with the Planning Commission staff phoning you at the phone number they have for you, or you can attend by appearing at the Planning Department conference room.

The time for this re-hearing conference is set for 3:15 p.m. since there is a Board of Appeals meeting where some of you may be present. There is also a State Bar Association continuing education class which runs until 3:00 p.m. If you can be reached at a different phone number please contact either Daryn or Jeff with your alternate number.

I hope all of you can participate in this pre-hearing conference. However, if you are unable to attend, please contact Daryn or Jeff.

Thank you.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** TedhongLaw -- dd  
**To:** sandrasong@hawaiiantel.net; carter.k.siu@hawaii.gov; aself@co.hawaii.hi.us; kalanigomes@hawaiiantel.net; darai@co.hawaii.hi.us; idarrow@co.hawaii.hi.us; alan@noyhawaii.com; Christine Periat; TedHongLaw -- Sue; Ted Hong  
**Subject:** Applicant CBESS Memorandum In Opposition to Petition for Standing in a Contested Case Hearing filed on November 4, 2013  
**Date:** Friday, November 08, 2013 12:49:37 PM  
**Attachments:** APPLICANT CBESS MEMORANDUM IN OPPOSITION TO PETITION FOR STANDING IN A CONTESTED CASE HEARING FILED ON NOVEMBER 4 2013.pdf

---

Dear All,

Attached, please find the foregoing document for your review.

Sincerely,

--

Dd Castillo,  
Paralegal to Ted H.S. Hong  
P.O. Box 4217  
Hilo, Hawaii 96720  
Telephone: 808-933-1919

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**From:** Amy Self  
**To:** "Ted Hong"; sandrasong@hawaiiintel.net  
**Cc:** "Carter Siu"; "jeff gomes"; "Sid Fuke"; Self, Amy; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Monday, November 11, 2013 4:38:16 PM

---

I agree with Mr. Hong suggestion.

---

**From:** Ted Hong [mailto:[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)]  
**Sent:** Monday, November 11, 2013 12:19 PM  
**To:** sandrasong@hawaiiintel.net  
**Cc:** Carter Siu; jeff gomes; Sid Fuke; Self, Amy; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

Ms. Song: As you know, we've been getting a lot of rain lately and the property is pretty muddy. I suggest that if we agree to mediation, you postpone the site visit until the weather gets a bit better.

Thanks,

Ted Hong

On Thu, Nov 7, 2013 at 3:39 PM, Sandra Song <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:  
Dear Parties:

I am scheduling a pre-hearing conference via telephone for tomorrow, October 8, 2013 at 3:15 p.m. to discuss some technical matters regarding the above-referenced contested case hearing. You can either participate by phone with the Planning Commission staff phoning you at the phone number they have for you, or you can attend by appearing at the Planning Department conference room.

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I hope all of you can participate in this pre-hearing conference. However, if you are unable to attend, please contact Daryn or Jeff.

Thank you.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [Ted Hong](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Carter Siu](#); [jeff.gomes](#); [Sid Fuke](#); [Amy Self](#); [Araj Daryn](#); [Darrow Jeff](#); [Fujimoto Phyllis](#)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Monday, November 11, 2013 12:18:58 PM

---

Ms. Song: As you know, we've been getting a lot of rain lately and the property is pretty muddy. I suggest that if we agree to mediation, you postpone the site visit until the weather gets a bit better.

Thanks,

Ted Hong

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**From:** [Ted Hong](#)  
**To:** [Amy Self](#)  
**Cc:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net); [Carter Siu](#); [jeff gomes](#); [Sid Fuke](#); [Arai, Daryn](#); [Darrow, Jeff](#); [Fujimoto, Phyllis](#)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, November 13, 2013 8:17:27 AM

---

Ms. Song: Could you please provide me with Mr. Bess' contact information? Thanks

On Mon, Nov 11, 2013 at 4:38 PM, Amy Self <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)> wrote:

I agree with Mr. Hong suggestion.

---

**From:** Ted Hong [<mailto:ted@tedhonglaw.com>]  
**Sent:** Monday, November 11, 2013 12:19 PM  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Cc:** Carter Siu; jeff gomes; Sid Fuke; Self, Amy; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis

**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

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**From:** Sandra Song  
**To:** "Ted Hong"; "Amy Self"; "Carter Siu"; "jeff gomes"; "Sid Fuke"  
**Cc:** "Arai, Daryn"; "Darrow, Jeff"; "Fujimoto, Phyllis"; lawbess@aol.com  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Thursday, November 14, 2013 10:35:00 AM

---

Dear Parties,

You can reach Steve Bess by phone at (808)987-9192 and by e-mail at [lawbess@aol.com](mailto:lawbess@aol.com). I am sending Steve a copy of this e-mail. You can either contact him or he will be contacting you to discuss the parameters of the mediation and his fees for this work.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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---

**From:** Ted Hong [mailto:[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)]  
**Sent:** Wednesday, November 13, 2013 8:17 AM  
**To:** Amy Self  
**Cc:** sandrasong@hawaiiantel.net; Carter Siu; jeff gomes; Sid Fuke; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

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I agree with Mr. Hong suggestion.

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10 Kamehameha Ave.  
Hilo, HI 96720  
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**From:** [Ted Hong](#)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** [Amy Self](#); [Carter Siu](#); [jeff.gomes](#); [Sid Fuke](#); [Arai Daryn](#); [Darrow Jeff](#); [Fujimoto Phyllis](#); [lawbess@aol.com](mailto:lawbess@aol.com)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Friday, November 15, 2013 1:35:05 PM

---

Please note that pursuant to the hearing, I will be at Judge Hara's courtroom and available at 808.960.3156. The settlement conference is scheduled to begin at 2 and end at 4:30.

Thanks

On Thu, Nov 14, 2013 at 10:35 AM, Sandra Song <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:

Dear Parties,

You can reach Steve Bess by phone at [\(808\)987-9192](tel:8081987-9192) and by e-mail at [lawbess@aol.com](mailto:lawbess@aol.com). I am sending Steve a copy of this e-mail. You can either contact him or he will be contacting you to discuss the parameters of the mediation and his fees for this work.

Sandra P. Song

Attorney at Law

10 Kamehameha Ave.

Hilo, HI 96720

Tel: [\(808\) 933-9212](tel:808933-9212)

Fax: [\(808\) 935-4853](tel:808935-4853)

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---

**From:** Ted Hong [mailto:[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)]  
**Sent:** Wednesday, November 13, 2013 8:17 AM  
**To:** Amy Self  
**Cc:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Carter Siu; jeff gomes; Sid Fuke; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis

**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

Ms. Song: Could you please provide me with Mr. Bess' contact information?  
Thanks

On Mon, Nov 11, 2013 at 4:38 PM, Amy Self <[aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us)> wrote:

I agree with Mr. Hong suggestion.

---

**From:** Ted Hong [mailto:[ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)]  
**Sent:** Monday, November 11, 2013 12:19 PM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Cc:** Carter Siu; jeff gomes; Sid Fuke; Self, Amy; Arai, Daryn; Darrow, Jeff; Fujimoto, Phyllis

**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138

Ms. Song: As you know, we've been getting a lot of rain lately and the property is pretty muddy. I suggest that if we agree to mediation, you postpone the site visit until the weather gets a bit better.

Thanks,

Ted Hong

On Thu, Nov 7, 2013 at 3:39 PM, Sandra Song <[sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)> wrote:

Dear Parties:

I am scheduling a pre-hearing conference via telephone for tomorrow, October 8,

2013 at 3:15 p.m. to discuss some technical matters regarding the above-referenced contested case hearing. You can either participate by phone with the Planning Commission staff phoning you at the phone number they have for you, or you can attend by appearing at the Planning Department conference room.

The time for this re-hearing conference is set for 3:15 p.m. since there is a Board of Appeals meeting where some of you may be present. There is also a State Bar Association continuing education class which runs until 3:00 p.m. If you can be reached at a different phone number please contact either Daryn or Jeff with your alternate number.

I hope all of you can participate in this pre-hearing conference. However, if you are unable to attend, please contact Daryn or Jeff.

Thank you.

Sandra P. Song

Attorney at Law

10 Kamehameha Ave.

Hilo, HI 96720

Tel: (808) 933-9212

Fax: (808) 935-4853

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**From:** Ted Hong  
**To:** sandrasong@hawaiiantel.net; lawbess@aol.com; jeff.gomes; Arai, Daryn; Darrow, Jeff; Carter, Siu; Self, Amy; Sid Fuke; John Thatcher  
**Subject:** Connections - Further Hearing  
**Date:** Tuesday, December 31, 2013 10:23:17 AM

---

At this point, CBESS respectfully requests that the further hearing go on as scheduled. My client and Connections have been pushing for mediation, only to be asked to repeatedly delay the proceedings, with an uncertain date or deadline. All the while, Mr. Gomes and Mr. Fuke, use any delay in the proceedings to further attack my client's position.

Additionally, I have not heard from Mr. Bess for over a week in terms of using the further hearing date for mediation.

We would like to proceed with the further hearing as scheduled. If there is any remaining time, I suggest we use it to begin mediation. The Hearings Officer can close the record, pending mediation. If we can mediate, then she can issue her decision.

So as far as my client is concerned, we request that we proceed with the further hearing.

**MS-501G:** We have a subpoena duces tecum to the Planning Department that was submitted to your office several weeks ago. Please sign it so we can have it served on the Planning Department.

Thanks,

Ted

**From:** [Sandra Song](#)  
**To:** "[Ted Hong](#)"; "[lawbess@aol.com](#)"; "[jeff.gomes](#)"; "[Arai, Daryn](#)"; "[Darrow, Jeff](#)"; "[Carter, Siu](#)"; "[Self, Amy](#)"; "[Sid Fuke](#)"; "[John Thatcher](#)"  
**Subject:** RE: Connections - Further Hearing  
**Date:** Tuesday, December 31, 2013 11:02:00 AM

---

Ted,

I have not seen any subpoena duces tecum for the Planning Department. It has also been my practice to promptly sign and return all requested subpoenas.

I would suggest that you check with your staff about this matter.

With respect to the hearing set for January 8, 2014, unless all of the parties agree to a continuance, the hearing will proceed as scheduled.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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---

**From:** Ted Hong [<mailto:ted@tedhonglaw.com>]  
**Sent:** Tuesday, December 31, 2013 10:23 AM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [lawbess@aol.com](mailto:lawbess@aol.com); jeff.gomes; Arai, Daryn; Darrow, Jeff; Carter Siu; Self, Amy; Sid Fuke; John Thatcher  
**Subject:** Connections - Further Hearing

At this point, CBESS respectfully requests that the further hearing go on as scheduled. My client and Connections have been pushing for mediation, only to be asked to repeatedly delay the proceedings, with an uncertain date or deadline. All the while, Mr. Gomes and Mr. Fuke, use any delay in the proceedings to further attack my client's position.

Additionally, I have not heard from Mr. Bess for over a week in terms of using the further hearing date for mediation.

We would like to proceed with the further hearing as scheduled. If there is any remaining time, I suggest we use it to begin mediation. The Hearings Officer can close the record, pending mediation. If we can mediate, then she can issue her decision.

So as far as my client is concerned, we request that we proceed with the further hearing.



**[REDACTED]**G: We have a subpoena duces tecum to the Planning Department that was submitted to your office several weeks ago. Please sign it so we can have it served on the Planning Department.

Thanks,

Ted

**From:** [Sandra Song](#)  
**To:** "Arai, Daryn"  
**Subject:** RE: Continued Connections Contested Case Hearing - January 22, 2014  
**Date:** Tuesday, January 14, 2014 6:38:00 AM

---

Daryn,

I was not a work yesterday so sorry for the delay. The conference room at P & R is fine. Please reserve it. I'll call you today before I send out an e-mail to the parties.

Sandy

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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---

**From:** Arai, Daryn [mailto:[DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us)]  
**Sent:** Monday, January 13, 2014 4:30 PM  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net)  
**Subject:** RE: Continued Connections Contested Case Hearing - January 22, 2014

Sandy,

Not sure if you got this. Need to inform the parties if this hearing date is acceptable.

Thanks  
Daryn

---

**From:** Arai, Daryn  
**Sent:** Wednesday, January 08, 2014 5:21 PM  
**To:** 'sandrasong@hawaiiantel.net'  
**Cc:** Darrow, Jeff; Fujimoto, Phyllis; Hata-Finley, Sarah; Cottle, Maija  
**Subject:** Continued Connections Contested Case Hearing - January 22, 2014

Sandy,

Was able to contact Department of Parks and Recreation and reserved a conference room that is just as large as our big conference room.

So I have it reserved for Wednesday, January 22, 2014 from 12 noon till 4:30pm.

Let me know if there is anything else you will need to accommodate this continued meeting. Just remind the parties that due to the size of the conference room, our ability to accommodate a large public contingent will be very difficult.

Thanks

Daryn

Daryn S. Aral  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawaii County is an equal opportunity provider and employer"*

**From:** Sandra Song  
**To:** "ted@tedhonglaw.com"; "Carter.K.Siu@hawaii.gov"; "kalanigomes@hawaiiantel.net"; "sidfuke@hawaiiantel.net"; "Amy Self"  
**Cc:** "darai@co.hawaii.hi.us"; "Darrow, Jeff"; "Fujimoto, Phyllis"; "Steve Bess (lawbess@aol.com)"  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Tuesday, January 21, 2014 2:58:00 PM

---

I am writing to remind all of you that the continued hearing on the above-referenced matter is set for tomorrow, January 22, 2014 at 1:30 p.m. in the County of Hawaii Parks & Recreation conference room, located at the Aupuni Center County Annex. If you not certain about the location of this conference room you can check in with the Planning Department and the staff will direct you to P & R. It is my understanding that this conference room is very small so that voice amplification equipment will not be set up. We will, however, have a court reporter present to transcribe the proceedings.

Unless I hear to the contrary, it is my understanding that no further witnesses will be called by any of the parties.

Please make certain to bring your calendars to this hearing because I anticipate setting deadlines for submission of proposed findings of fact.

Thank you.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)  
**Subject:** Re: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Tuesday, January 21, 2014 5:22:50 PM

---

Thank you.

Jeff Gomes  
Owner  
Hawaii Bookmark  
Jeff's Work Bench  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)

on Jan 21, 2014, **Sandra Song** <[sandrasong@hawaiiintel.net](mailto:sandrasong@hawaiiintel.net)> wrote:

I am writing to remind all of you that the continued hearing on the above-referenced matter is set for tomorrow, January 22, 2014 at 1:30 p.m. in the County of Hawaii Parks & Recreation conference room, located at the Aupuni Center County Annex. If you not certain about the location of this conference room you can check in with the Planning Department and the staff will direct you to P & R. It is my understanding that this conference room is very small so that voice amplification equipment will not be set up. We will, however, have a court reporter present to transcribe the proceedings.

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Please make certain to bring your calendars to this hearing because I anticipate setting deadlines for submission of proposed findings of fact.

Thank you.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
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**From:** [Sandra Song](mailto:Sandra.Song)  
**To:** ["ted@tedhonglaw.com"](mailto:ted@tedhonglaw.com); ["Carter.K.Siu@hawaii.gov"](mailto:Carter.K.Siu@hawaii.gov); ["kalanigomes@hawaiiantel.net"](mailto:kalanigomes@hawaiiantel.net); ["sidfuke@hawaiiantel.net"](mailto:sidfuke@hawaiiantel.net); ["Amy Self"](mailto:Amy.Self)  
**Cc:** ["darai@co.hawaii.hi.us"](mailto:darai@co.hawaii.hi.us); ["Darrow, Jeff"](mailto:Darrow.Jeff); ["Fujimoto, Phyllis"](mailto:Fujimoto.Phyllis); ["dixiekaetsu@hawaiiantel.net"](mailto:dixiekaetsu@hawaiiantel.net)  
**Subject:** Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, February 05, 2014 5:40:00 PM

---

Parties,

If you plan to submit your proposed findings of fact in the above case to me via e-mail would you please send a copy of the proposed findings to my assistant Dixie Kaetsu. I will be out of the office beginning tomorrow, February 6, but Dixie will be able to forward the proposed findings to me. I've included Dixie in this e-mail so that you will have her address.

Thank you for your cooperation in this matter.

Sandra P. Song  
Attorney at Law  
10 Kamehameha Ave.  
Hilo, HI 96720  
Tel: (808) 933-9212  
Fax: (808) 935-4853

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**From:** [jeff.gomes](mailto:jeff.gomes)  
**To:** [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [aself@co.hawaii.hi.us](mailto:aself@co.hawaii.hi.us); [DARAI@co.hawaii.hi.us](mailto:DARAI@co.hawaii.hi.us); [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com)  
**Subject:** JEFF GOMES FINDINGS OF FACTS  
**Date:** Wednesday, February 12, 2014 1:44:17 PM  
**Attachments:** [Gomes - Certificate of Service.pdf](#)  
[Gomes - Proposed FOFCOL - 1.pdf](#)

---

Jeff Gomes  
Owner  
Hawaii Bookmark  
16-175 Melekauiwa Street #1  
Kea`au, HI 96749  
(808) 987-6488  
[www.hawaiibookmarks.com](http://www.hawaiibookmarks.com)



**From:** [Sue Lee Loy of TedHongLaw](#)  
**To:** [dixiekaetsu@hawaiiantel.net](#); [sandrasong@hawaiiantel.net](#); Self; Amy; jeff.gomes; idarrow; Carter Siu; Darvn Arai; Ted Hong; [Holly.T.Shikada@hawaii.gov](#)  
**Subject:** Connections SPP No. 12-000138 - Applicants Joint Proposed FoF/CoL and Decision and REcommendation  
**Date:** Wednesday, February 12, 2014 4:24:30 PM  
**Attachments:** [Applicants Joint Submission of Proposed FoF and CoL.pdf](#)

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Aloha - Attached please find Applicants Connection New Century Public Charter School and Community Based Educations Support Services (CBESS); Joint Proposed Findings of Fact, Conclusions of Law and Decision and Recommendation.

--

Sue Lee Loy, Legal Assistant  
Law Office of Ted Hong, Esq.  
Tel:808.933.1919  
email: [sue@tedhonglaw.com](mailto:sue@tedhonglaw.com)

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**From:** Daryn Arai  
**To:** [ted@tedhonglaw.com](mailto:ted@tedhonglaw.com); [Carter.K.Siu@hawaii.gov](mailto:Carter.K.Siu@hawaii.gov); [kalanigomes@hawaiiantel.net](mailto:kalanigomes@hawaiiantel.net); [sidfuke@hawaiiantel.net](mailto:sidfuke@hawaiiantel.net); "Amy Self"  
**Cc:** "Darrow, Jeff"; [dixiekaetsu@hawaiiantel.net](mailto:dixiekaetsu@hawaiiantel.net); [sandrasong@hawaiiantel.net](mailto:sandrasong@hawaiiantel.net); Masunaga, Margaret; Ferreira, Cathy; [Kanuha\\_Duane](mailto:Kanuha_Duane)  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Monday, March 10, 2014 12:43:47 PM

---

Good afternoon, everyone.

On behalf of Presiding Officer Sandra Song, I would like to ask that you all afford her till the end of this week for the delivery of her report and recommendation to the Windward Planning Commission and the parties.

As you are aware, Mrs. Song had earlier disclosed to all of you the personal health challenges that she has been facing and will need this extra time to complete her report while she continues to look after her health.

Please let me know if this will be an issue with any of the parties.

Thank you for your understanding.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
*"Hawai'i County is an equal opportunity provider and employer"*

**From:** Daryn Arai  
**To:** ted@tedhonglaw.com; Carter.K.Siu@hawaii.gov; kalanigomes@hawaiiantel.net; sidfuke@hawaiiantel.net; "Amy Seif"; Kanuha, Duane  
**Cc:** "Darrow, Jeff"; dixiekaetsu@hawaiiantel.net; sandrasong@hawaiiantel.net; Hata-Finley, Sarah; "Lugo, Molly"; Masunaga, Margaret; Ferreira, Cathy  
**Subject:** RE: Connections New Century Public Charter School, SPP 12-000138  
**Date:** Wednesday, March 12, 2014 4:22:03 PM

---

Parties,

This will confirm my telephone conversation with all of you today whereby all parties have agreed to postpone the upcoming April 3<sup>rd</sup> hearing on Connections New Century Public Charter School/CBESS, SPP 12-000138 to the Windward Planning Commission's May 1, 2014 meeting.

I am certain that Presiding Officer Sandra Song is very appreciative of your generosity as she continues her journey towards good health. Likewise, I extend my heartfelt appreciation to all of you for your expressions of concern and goodwill.

Please feel free to contact me should you have any questions.

Daryn

Daryn S. Arai  
County of Hawaii Planning Department  
Aupuni Center  
101 Pauahi Street, Suite No. 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8142  
Fax: (808) 961-8742  
email: [darai@co.hawaii.hi.us](mailto:darai@co.hawaii.hi.us)  
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