

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the matter of the Motion ) DOCKET NO. A02-737  
 )  
 of ) PREHEARING ORDER  
 )  
 U of N BENCORP )  
 )  
 To Amend Findings of Fact, Conclusions )  
 of Law, and Decision and Order dated )  
 August 8, 2003, granting the )  
 reclassification of approximately 62 acres )  
 situate at Wai`aha 1<sup>st</sup>, North Kona, )  
 County and State of Hawai`i, identified )  
 as Tax Map Key Nos.: (3) 7-5-010: 085 )  
 and 7-5-017: 006 )

PREHEARING ORDER

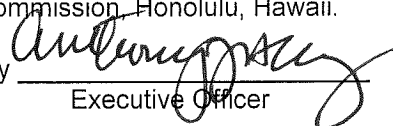
This is to certify that this is a true and correct copy of the document on file in the office of the State Land Use Commission, Honolulu, Hawaii.

FEB 26 2007

Date

by

Executive Officer



BEFORE THE LAND USE COMMISSION

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PREHEARING ORDER

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

WHEREAS, a Prehearing Conference ("Conference") in this proceeding was held by the Executive Officer of the Land Use Commission ("LUC") on August 8, 2006, at Room 406, 235 S. Beretania Street, Honolulu Hawai`i and via teleconference in Hilo, Hawai`i and Honolulu, Hawai`i, pursuant to §15-15-57, Hawaii Administrative Rules ("HAR"), to identify the parties and their

respective positions; to identify and clarify issues; to arrange for the timely submission of witness lists, exhibit lists, and exhibits; and to set schedules;

WHEREAS, the following parties attended the Conference: AEKO Hawaii f.k.a. U of N Bencorp ("Petitioner"), the County of Hawaii Planning Department ("County"), and the Office of Planning, Department of Business Economic Development & Tourism ("OP").

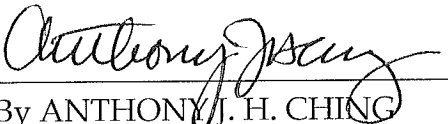
IT IS HEREBY ORDERED that no later than the close-of-business of February 26, 2007, each party shall submit and serve upon all the other parties, as the case may be, a list identifying all witnesses that they will be presenting to the LUC in support of the respective party's position; a list identifying all exhibits that will be submitted in support of the respective party's position; and all exhibits identified in the aforementioned exhibit list;

IT IS FURTHER ORDERED that except as provided by §15-15- 57, HAR, filings or submissions which are untimely may be stricken or rejected by the LUC at the time of the hearing; and

IT IS FURTHER ORDERED that except as provided by §15-15-57, HAR, or unless otherwise ordered by the LUC, a party shall not be allowed at any continued hearing in this proceeding to submit any additional exhibits not previously submitted or present any oral testimony of any witness not previously identified by the dates provided herein.

Dated: Honolulu, Hawai'i, FEB 26 2007

LAND USE COMMISSION  
STATE OF HAWAII

  
By ANTHONY J. H. CHING  
Executive Officer

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the matter of the Motion ) DOCKET NO. A02-737  
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Prehearing Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal

Service by regular or certified mail as noted:

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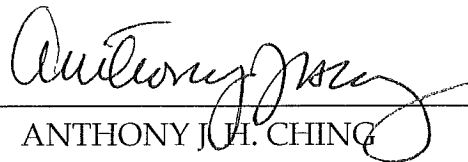
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Dated: Honolulu, Hawai`i, FEB 26 2007.

  
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ANTHONY J.H. CHING  
Executive Officer