

McCORRISTON MILLER MUKAI MacKINNON LLP

CLIFFORD J. MILLER 1406-0

miller@m4law.com

JOEL D. KAM 6052-0

kam@m4law.com

JONATHAN H. STEINER 6084-0

Steiner@m4law.com

500 Ala Moana Boulevard  
Five Waterfront Plaza, 4<sup>th</sup> Floor  
Honolulu, Hawaii 96813  
Telephone: (808) 529-7300  
Facsimile: (808) 524-8293

JOHN S. RAPACZ 4408-0

rapacz@hawaii.rr.com

P.O. Box 2776

Wailuku, HI 96793

Telephone: (808) 244-6955

Facsimile: (808) 244-6956

Attorneys for Piilani Promenade South, LLC and  
Piilani Promenade North, LLC

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LAND USE COMMISSION  
STATE OF HAWAII  
2012 OCT 30 A 8:53

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

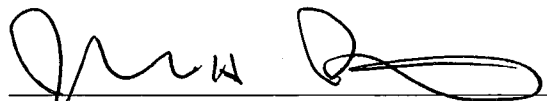
In the Matter of the Petition of	)	DOCKET NO. A-94-706
	)	
KAONOULU RANCH	)	PIILANI PROMENADE SOUTH, LLC
	)	AND PIILANI PROMENADE NORTH,
To Amend the Agricultural Land Use District	)	LLC'S JOINDER IN DEPARTMENT OF
Boundary into the Urban Land Use District	)	PLANNING, COUNTY OF MAUI'S
for approximately 88 acres at Kaonoulu,	)	MOTION TO EXCLUDE EVIDENCE
Makawao-Wailuku, Maui, Hawai'i	)	RELATED TO THE 1998 KIHEI-MAKENA
	)	COMMUNITY PLAN AND
	)	DETERMINATION OF THE SCOPE OF
	)	REVIEW; CERTIFICATE OF SERVICE
	)	
	)	
	)	<u>HEARING:</u>
	)	Date: November 1 and 2, 2012
	)	Time: 9:30 a.m.
	)	
	)	

PIILANI PROMENADE SOUTH, LLC AND PIILANI PROMENADE NORTH, LLC'S  
JOINDER IN DEPARTMENT OF PLANNING, COUNTY OF MAUI'S MOTION TO  
EXCLUDE EVIDENCE RELATED TO THE 1998 KIHEI-MAKENA COMMUNITY PLAN  
AND DETERMINATION OF THE SCOPE OF REVIEW

Piilani Promenade South, LLC and Piilani Promenade North, LLC (collectively, "Piilani"), by and through their attorneys, McCorriston Miller Mukai MacKinnon LLP, hereby respectfully submit their joinder in Department of Planning, County of Maui's Motion to Exclude Evidence Related to The 1998 Kihei-Makena Community Plan and Determination of the Scope of Review ("Motion to Exclude").

Piilani agrees that the issue of whether the proposed development is consistent with the Kihei-Makena Community Plan is entirely irrelevant to this proceeding, and potentially prejudicial to Piilani. Three of the exhibits which were submitted by Piilani, Piilani Exhibits 12, 23, and 25, all address that issue at least in part, and were submitted by Piilani as potential rebuttal to anticipated evidence by Intervenors regarding the Kihei-Makena Community Plan. In the event that the Motion to Exclude is granted, then Piilani would be willing to limit testimony as to those exhibit to those portions of the letters which do not relate to the Kihei-Makena Community Plan.

Dated: Honolulu, Hawai'i, October 30, 2012.



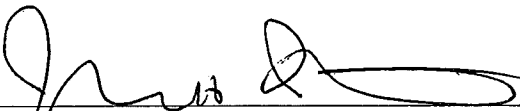
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JONATHAN H. STEINER

Attorneys for Piilani Promenade South, LLC and  
Piilani Promenade North, LLC



Jane Elizabeth Lovell, Esq. [Jane.Lovell@co.maui.hi.us](mailto:Jane.Lovell@co.maui.hi.us)  
Michael Hopper, Esq. [Michael.Hopper@co.maui.hi.us](mailto:Michael.Hopper@co.maui.hi.us)  
Corporation Counsel  
County of Maui  
200 South High Street  
Kalana O Maui Building, 3<sup>rd</sup> Floor  
Wailuku, Hawai'i 96793

Dated: Honolulu, Hawai'i, October 30, 2012.



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CLIFFORD J. MILLER  
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Piilani Promenade North, LLC