

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the matter of the Petition	)	DOCKET NO. A04-754
	)	
of	)	PREHEARING ORDER
	)	
MAUI LANI 100, LLC	)	
	)	
To Amend the State Land Use	)	
Agricultural District to the State Land	)	
Use Urban District for approximately	)	
59.6 acres of land at Wailuku, Island of	)	
Maui, State of Hawaii, bearing Tax Map	)	
Key No. 3-8-007: 131 (por.)	)	
	)	

PREHEARING ORDER

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Maui, State of Hawaii, bearing Tax Map	)	
Key No. 3-8-007: 131 (por.)	)	
	)	

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 on April 13, 2005, via teleconference in Honolulu, Hawaii, and Wailuku, Maui, pursuant § 15-15-57, Hawaii Administrative Rules, to identify the parties and potential 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: Maui Lani 100, LLC ("Petitioner"), the Planning Department, County of Maui ("County"), and the Office of Planning, Department of Business Economic Development & Tourism ("OP");

WHEREAS, all parties acknowledged receipt of Petitioner's List of Witnesses, List of Exhibits, Certificate of Service, and Petitioner's Exhibits 17-23, 25, 26, and 33.

WHEREAS, all parties acknowledged receipt of the County's Position Statement in support of the Petition, Certificate of Service, List of Witnesses, and List of Exhibits.

WHEREAS, all parties were informed that OP's Statement of Position in support of the Petition (OP's Exhibit 1), Certificate of Service, Exhibit 2, List of Exhibits, and List of Witnesses were mailed to the parties on April 13, 2005.

WHEREAS, the Petitioner informed the Commission that Petitioner's Affidavit of Publication for Notice of Hearing would be filed before April 21, 2005.

IT IS HEREBY ORDERED that no later than the close-of-business of April 21, 2005, 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 Commission in support of the respective party's position; a list identifying all

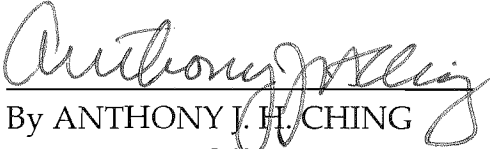
exhibits that will be submitted in support of the respective party's position; and
all exhibits identified in the aforementioned exhibit list;

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

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

Dated: Honolulu, Hawai'i, APR 27 2005

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 Petition	)	DOCKET NO. A04-754
	)	
of	)	CERTIFICATE OF SERVICE
	)	
MAUI LANI 100, LLC	)	
	)	
To Amend the Land Use District	)	
Boundary of Approximately 59.6 acres of	)	
Land in the Agricultural District to the	)	
Urban District at Wailuku, Island of	)	
Maui, State of Hawai'i, Tax Map Key	)	
No.: 3-8-007: 131 (por.)	)	

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:

DEL. LAURA H. THIELEN, Director
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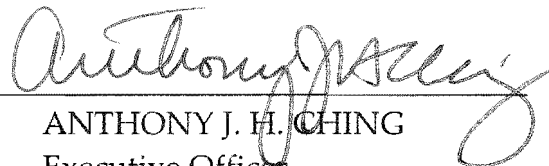
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Wailuku, Hawaii 96793-1086

APR 27 2005

Dated: Honolulu, Hawaii, _____.


ANTHONY J. H. CHING
Executive Officer