

BEFORE THE LAND USE COMMISSION  
STATE OF HAWAII

2013 APR 24 P 12:14  
LAND USE COMMISSION  
STATE OF HAWAII

In The Matter Of The Petition Of	)	DOCKET NO. A11-794
	)	
STATE OF HAWAII, DEPARTMENT	)	PRE-HEARING ORDER AND
OF EDUCATION	)	CERTIFICATE OF SERVICE
	)	
To Amend The Agricultural Land Use	)	
District Boundary Into The Urban Land	)	
Use District For Approximately 77.2 Acres	)	
Of Land At Kihei, Maui, Hawai'i, Tax	)	
Map Key: (2) 2-2-02: 081 and 083	)	
_____	)	

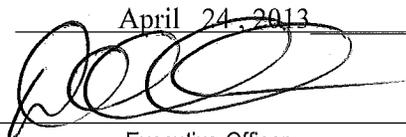
PRE-HEARING ORDER

AND

CERTIFICATE OF SERVICE

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

Date April 24, 2013

BY  \_\_\_\_\_  
Executive Officer



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PREHEARING ORDER

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

WHEREAS, a Prehearing Conference in this proceeding was held on April 24, 2013, to identify the positions of the respective parties; to identify and clarify issues; to arrange for the timely submission of witness lists, exhibit lists, and exhibits; and to set schedules; now, therefore,

IT IS HEREBY ORDERED that (1) no later than the close of business on April 29, 2013, each party shall submit and serve upon all the other parties a final witness list identifying all witnesses that will be providing testimony in support of the respective party's position, a final exhibit 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, with the

exception of the written direct testimony of their respective expert witnesses; and (2) no later than the close of business on May 10, 2013, a party may submit and serve upon all the other parties any exhibits, memoranda, or other documentary information in response or in rebuttal to the documents submitted on April 29, 2013, provided that each party no later than the close of business on May 17, 2013, shall also submit and serve upon all the other parties as appropriate the written direct testimony of their respective expert witnesses identified in the aforementioned witness list;

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

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

Dated: Honolulu, Hawai'i, April 24, 2013

LAND USE COMMISSION  
STATE OF HAWAI'I



By DANIEL ORODENKER  
Executive Officer



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Map Key: (2) 2-2-02: 081 and 083 )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

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

CERTIFIED WILLIAM W.L. YUEN, Esq.  
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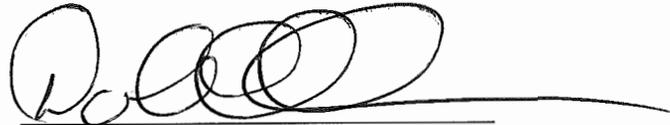
DEL.: JESSE K. SOUKI, Director  
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Dated: Honolulu, Hawai'i, April 24, 2013



DANIEL ORODENKER  
Executive Officer