

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

IN THE MATTER OF)
)
Contested Case Hearing Re Conservation District)
Use Application (CDUA) HA-3568 For the)
Thirty Meter Telescope at the Mauna Kea Science)
Reserve, Ka`ohe Mauka, Hamakua, Hawai`i)
TMK (3) 4-4-015:009)
_____)

CASE NO. BLNR-CC-16-002

Kamahana Kealoha_Witness
Designation

Name of Party: Brannon Kamahana Kealoha

DATED: _____

(signature of Party or Lawyer)

BRANNON KAMAHANA KEALOHA

89-564 MOKIAWE STREET

WAIANA, HI, 96792

**BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII**

In the Matter of:)	Case No. BLNR-CC-16-002
A Contested Case Hearing)	
Re)	
Conservation District Use)	STATEMENT OF KAMAHANA KEALOHA
Permit)	DESIGNATING WITNESSES; CERTIFICATE OF
(COUP) HA-3568 for the)	SERVICE
Thirty Meter)	
Telescope at the Mauna Kea)	
Science)	Hearing Officer: Riki J. Amano.
Reserve, Kaohe Mauka,)	
Hamakua)	
District, Island of Hawai'i,)	
TMK (3) 4-4-015:009)	
)	

STATEMENT OF Kamahana DESIGNATING WITNESSES

I, Kamahana Kealoha, respectfully submit this Statement Designating Witnesses pursuant to Minute Order No. 16, filed August 22, 2016 (Document No. 238), Minute Order No. 21, filed October 11, 2016 (Document No. 244), Hawaii Revised Statutes (HRS) § 91-10, Hawaii Administrative Rule (HAR) §13-1-32, and oral orders issued by the Hearing Officer at the prehearing conference on October 3, 2016 in Hilo, Hawai'i.

I would like to clarify that my own two witnesses Assistant Professor Kimo Alama Keaulana and Dr. Marie Alohalani Brown were forced to withdraw their testimonies and are unable to be witnesses because of the dictated and some say chaotic rushing of the schedule coupled with the blatant confusion and state of bewilderment the last pre-hearing was sporadically adjourned. Regardless I would reserve the right to call these witnesses to offer oral testimony given the duress of this schedule, not just for me but for all my witnesses. I suggest the schedule commence all hearing dates in November.

I. Designation of Witnesses for Cross-Examination

As provided for in Minute Orders Nos. 16 and 21, I wish to cross-examine all other parties' witnesses, including, but not limited to the witnesses of Applicant the University of Hawai'i at Hilo (UHH), the TMT International Observatory, Inc. (TIO), and Perpetuating Unique Educational Opportunities (P.U.E.O.) as designated below:

- A. Designation of all UHH Witnesses for Cross-Examination included on their Final Witness List, as well as any other witnesses called by UHH.
- B. Designation of all TIO Witnesses for Cross-Examination included on their Final Witness List, as well as any other witnesses called by TIO:
- C. Designation of all P.U.E.O. Witnesses for Cross-Examination included on their Final Witness List, as well as any other witnesses called by P.U.E.O.:
- D. Designation of other parties' Witnesses for Cross-Examination included on their Final Witness List, as well as any other witnesses that may be called.

II. Designation of Rebuttal Witness Evidence

I may call rebuttal witnesses to counter evidence received at the contested case proceedings and the content of direct witness testimonies. HRS §91-10(3) provides, "Every party shall have the right to conduct such cross-examination as may be required for a full and true disclosure of the facts, and shall have the right to submit rebuttal evidence." *See also* HAR §13-1-32(g) (providing for parties' right to submit rebuttal evidence). I submit my preliminary list of potential rebuttal witnesses, reserving the right to submit other appropriate rebuttal evidence after arguments and testimonies are disclosed during the hearing.

Reserving the right to identify other rebuttal witnesses as needed, I designate the following as rebuttal witnesses.

	Name of Witness	Witness Designation
	Myself Kamahana Kealoha	Direct & Rebuttal
	Leinala Sleightholm	Direct & Rebuttal
	Meahana Kihoi	Direct & Rebuttal
	Kimo Alama Keaulana	Direct & Rebuttal

	Marie Alohalani Brown	Direct & Rebuttal
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DATED: (Waianae), Hawai'i, October 14, 2016

Brannon Kamahana Kealoha

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

Contested Case Hearing Re Conservation
District Use Application (CDUA) HA-3568
for the Thirty Meter Telescope at the Mauna
Kea Science Reserve, Ka'ohē Mauka,
Hāmākua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Document title:
Kamahana Kealoha Witness Designation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by the means indicated:

- | | | |
|--|--|--|
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Signature: _____

Name (Print): _____

Date: _____