

MAUNA KEA ANAINA HOU and KEALOHA PISCIOTTA;
CLARENCE KUKAUAKAHI CHING; FLORES-CASE 'OHANA;
DEBORAH J. WARD; and PAUL K. NEVES;
Petitioners.

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 Permit (CDUP) HA-3568 for)	COLLECTIVE STATEMENT OF
the Thirty Meter Telescope at the Mauna)	PETITIONERS' DESIGNATION OF
Kea Science Reserve, Kaohe Mauka,)	WITNESSES AND NOTICE OF
Hamakua District, Island of Hawai'i, TMK)	PRODUCTION OF WITNESSES FOR
(3) 4-4-015:009)	CROSS-EXAMINATION
)	
)	
)	Hearing Officer: Riki Amano.
)	

**COLLECTIVE STATEMENT OF PETITIONERS' DESIGNATION OF
WITNESSES AND NOTICE OF PRODUCTION OF
WITNESSES FOR CROSS-EXAMINATION**

MAUNA KEA ANAINA HOU and KEALOHA PISCIOTTA; CLARENCE KUKAUAKAHI CHING; FLORES-CASE 'OHANA; DEBORAH J. WARD; and PAUL K. NEVES ("PETITIONERS"), collectively 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. Designation of Witnesses for Cross-Examination

As provided for in Minute Orders Nos. 16 and 21, PETITIONERS 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:

Received
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Department of Land and Natural Resources
2016 Oct 14 1:48 pm
State of Hawaii

A. Designation of UHH Witnesses for Cross-Examination, as well as any other witnesses called by UHH.

1. Perry J. White
2. James T. Hayes
3. Clifford Smith
4. Robert McLaren
5. Chad Kalepa Babayan
6. Gunther Hasinger
7. Fritz Klasner
8. Stephanie Nagata
9. Jesse Eiben
10. Tom Nance
11. Richard Nees
12. Sara Collins
13. Walter M. Heen
14. Wallace A. Ishibashi, Jr.
15. David Lassner

B. Designation of TIO Witnesses for Cross-Examination, as well as any other witnesses called by TIO:

1. Edward C. Stone
2. Gary H. Sanders
3. Michael Bolte
4. David Callies
5. James E. Halstrom
6. Dr. Heather Kaluna
7. Naea Stevens
8. Amber Imai-Hong
9. Robert B. Rechtman
10. Paul Coleman.

C. Designation of P.U.E.O. Witnesses for Cross-Examination, as well as any other witnesses called by P.U.E.O.:

1. Shadd Keahi Warfield
2. Richard Ha
3. Elroy Osorio
4. William Brown
5. Patrick Kahawaiola'a
6. "All other witnesses named by other parties"
7. "Rebuttal witnesses"

D. Designation of other parties' Witnesses for Cross-Examination included on their Final Witness Lists, as well as any other witnesses called by other parties.

E. Designation of Hearing Officer's Witnesses for Cross-Examination, as well as any other witnesses called by Hearing Officer.

II. Designation of Rebuttal Witness Evidence

PETITIONERS 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). PETITIONERS submit our 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, PETITIONERS designate the following as rebuttal witnesses.

	Name of Witness	Witness Designation
B.01	Kealoha Piscioti	Direct & Rebuttal
B.02	E. Kalani Flores	Direct & Rebuttal
B.03	Marti Townsend, Esq.	Direct & Rebuttal
B.04	Maile Taulii	Direct & Rebuttal
B.05	Manulani Aluli-Meyer, Ed.D.	Direct & Rebuttal
B.06	Ku Kahakalau, Ph.D.	Direct & Rebuttal
B.07	Jon Osorio, Ph.D.	Direct & Rebuttal
B.08	Kehaunani Abad, Ph.D.	Direct & Rebuttal
B.09	David James Vicente, M.S.	Direct & Rebuttal
B.10	Eric Hansen, M.S.	Direct & Rebuttal
B.11	Kuulei Kanahele	Direct & Rebuttal

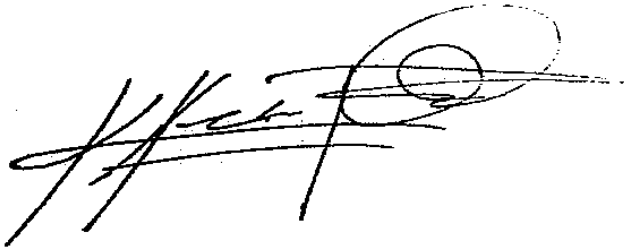
B.12	Peter Mills, Ph.D.	Direct & Rebuttal
B.13	Candace Fujikane, Ph.D.	Direct & Rebuttal
B.15	Laulani Teale	Direct & Rebuttal
B.17	Deborah J. Ward	Direct & Rebuttal
B.18	Paul K. Neves	Direct & Rebuttal
B.19	Clarence Kūkauakahi Ching	Direct & Rebuttal
B.20	Kamanamaikalani Beamer, Ph.D.	Direct & Rebuttal
B.21	B. Pualani Case	Direct & Rebuttal
B.23	Kapulei Flores	Direct & Rebuttal
B.24	Ruth Aloua, M.A.	Direct & Rebuttal
B.25	Diana LaRose	Direct & Rebuttal
	Jesse Potter/ Pōhāhā i ka Lani	Rebuttal
	Narissa Spies, M.S.	Rebuttal
	Keomailani Von Gogh	Rebuttal
	Hāwane Rios	Rebuttal
	Davianna Macgregor	Rebuttal
	David Kimo Frankel, Esq.	Rebuttal
	Brian Cruz	Rebuttal
	Kekuhi Kealiikanakaoleohaililani	Rebuttal
	Marie Alohalani Brown	Rebuttal

III. Designation of Subpoena Witnesses

Reserving the right to identify other witnesses as needed, PETITIONERS designate the following as subpoena witnesses.

	Name of Witness	Witness Designation
	Governor David Ige (and/or Governor's representative) Executive Chambers State Capitol Honolulu, Hawaii 96813	Subpoena
	U.H. Hilo Chancellor Donald Straney Office of the Chancellor University of Hawai'i at Hilo 200 W. Kawili St. Hilo, HI 96720-4091	Subpoena
	BLNR Chair/DLNR Director Suzanne Case. DLNR Main Office Kalanimoku Building 1151 Punchbowl St. Honolulu, HI 96813	Subpoena
	Stanley Roehrig, Esq./BLNR Board Member Hilo Lagoon Ctr. 101 Aupuni St. Ste. 124 Hilo, HI 96720	Subpoena

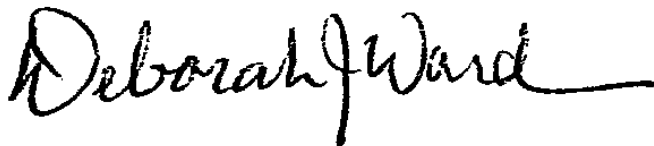
DATED: Hilo, Hawai'i, October 14, 2016



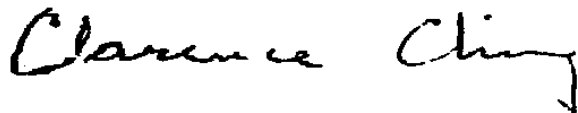
KEALOHA PISCIOтта, President
MAUNA KEA ANAINA HOU, Petitioner



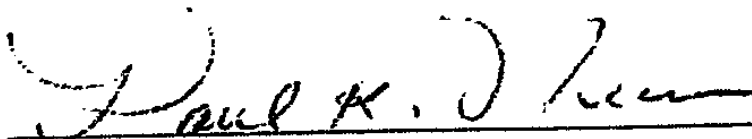
E. KALANI FLORES, Petitioner, on behalf of
FLORES-CASE 'OHANA



DEBORAH J. WARD, Petitioner



CLARENCE KŪKAUAKAHI CHING, Petitioner



PAUL NEVES, Petitioner