

FLORES-CASE 'OHANA
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Petitioners pro se

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 Application	)	FLORES-CASE 'OHANA'S REQUEST
(CDUA) HA-3568 for the Thirty Meter	)	FOR WITNESS SUBPOENA FOR
Telescope at the Mauna Kea Science	)	'JOHN DOE' AND FOR A SUBPOENA
Reserve, Ka'ohē, Hamakua District,	)	DUCES TECUM TO DISCLOSE
Island of Hawai'i, TMK (3) 4-4-015:009	)	UNIDENTIFIED MAUNAKEA
	)	OBSERVATORIES SUPPORT
	)	SERVICES EMPLOYEE INVOLVED
	)	WITH THE DESTRUCTION OF AHU
	)	(SHRINE) ON MAUNA KEA IN
	)	AUGUST OF 2015; CERTIFICATE OF
	)	SERVICE
)	
	)	Hearing Officer: Hon. Riki M. Amano
	)	(Ret.)

**FLORES-CASE 'OHANA'S REQUEST FOR WITNESS SUBPOENA FOR 'JOHN DOE'
AND FOR A SUBPOENA DUCES TECUM TO DISCLOSE UNIDENTIFIED
MAUNAKEA OBSERVATORIES SUPPORT SERVICES EMPLOYEE INVOLVED
WITH THE DESTRUCTION OF AHU (SHRINE) ON MAUNA KEA
IN AUGUST OF 2015**

Petitioner, E. KALANI FLORES, pro se, representing the FLORES-CASE 'OHANA, respectfully submits this Request for a Witness Subpoena and a Subpoena Duces Tecum.

Ms. Stephanie Nagata, Executive Director of the Office of Mauna Kea Management in her oral testimony during cross-examination, stated that the removal of the ahu (shrine), formerly along the roadway leading to the summit between mile markers 3 and 3.5, was done by accident by a Maunakea Observatories Support Services employee. However, this statement contradicts the statement of Mr. Dan Meisenzahl, University of Hawai'i spokesman, as noted in the Hawaii

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Tribune Herald article (Exhibit B.02j). To complete the record with an accurate account surrounding the removal of this ahu associated with constitutionally protected Native Hawaiian traditional and customary practices, this request is being submitted.

In addition, during Ms. Nagata's testimony, she refused to disclose the name of the individual involved with this incident. As such, there is also a request for a subpoena duces tecum to be served upon Ms. Stephanie Nagata and/or Mr. Steward Hunter of Maunakea Observatories Support Services to disclose the identity of 'Joe Doe' in order that this Maunakea Observatories Support Services employee can be properly served with a witness subpoena.

This request is also being submitted in part because evidentiary discovery was not permitted in this contested case hearing.

DATED: Pu'ukapu, Hawai'i, January 12, 2017



E. Kalani Flores
Representing Flores-Case 'Ohana

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, Hāmākua,
Hawaii, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Document title: FLORES-CASE 'OHANA'S REQUEST FOR
WITNESS SUBPOENA FOR 'JOHN DOE' AND FOR A
SUBPOENA DUCES TECUM TO DISCLOSE UNIDENTIFIED
MAUNAKEA OBSERVATORIES SUPPORT SERVICES
EMPLOYEE INVOLVED WITH THE DESTRUCTION OF
AHU (SHRINE) ON MAUNA KEA IN AUGUST OF 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced documents were served upon the following parties by the means indicated below:

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Date: January 12, 2017