

Cindy Freitas
P.O. 4650
Kailua Kona HI 96745
hanahanai@hawaii.rr.com

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAI'I

IN THE MATTER OF) Case No. BLNR-CC-16-002
)
A Contested Case Hearing Re Conservation;) **CINDY FREITAS JOINDER TO**
Use Application (CDUA) HA-3568 For the) **MAUNA KEA ANAINA HOU**
Thirty Meter Telescope at the Mauna Kea) **MOTION REQUESTING TIME TO**
Science Reserve, Ka'oho Mauka, Hamakua,) **RESPOND TO EXHIBIT OJECTIONS**
Hawai'i TMK(3)4-4-015:009)
) **CERTIFICATE OF SERVICE**
)

**CINDY FREITAS JOINDER TO MAUNA KEA ANAINA HOU MOTION
REQUESTING TIME TO RESPOND TO EXHIBIT OJECTIONS**

I. INTRODUCTION

I Cindy Freitas, ("Petitioner") herein joins the Mauna Kea Anaina Hou Motion ("MKAH") Requesting Time to Respond to Exhibit Objections.

There were a lot of Objection filed by University of Hilo at Hilo ("UHH") DOC 514 and Thirty Meter Telescope Observatory ("TIO") DOC 511 on March 16, 2017.

II. ARGUMENT

A. Hearing Officer made it clear to allow all the Exhibits

The Hearing Officer has repeatedly made clear that she was inclined to allow all the exhibits in, with the understanding that she would decide what weight to give them. This repeated reassurance gave a false sense of security to the parties regarding the need to

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authenticate documents or otherwise go through the process of establishing the admissibility of an exhibit through testimony of witnesses.

B. March 2, 2017 Evidentiary Hearing

On March 2, 2017, Kealoha Pisciotta has ask the hearing officer if she can give us leave if we fell its overwhelming...Hearing Officer has said that to communicate with her will be in writing, she also mention that, she don't expect to see or hear too much objection. See Declaration of Cindy Freitas.

C. THE OBJECTION RESPOND

The amount of Objection filed in the Evidentiary Hearing Submittals by UHH and TIO is very overwhelming and will need substantial time to respond to the exhibits.

The respond time for objections was not factor into the scheduling by the Hearing Officers guidelines on March 2, 2017 at the Contested Case Hearing that was taken up on house keeping issues.

III. CONCLUSION

Therefore the Petitioner ask for a responses should be extended time to address the opposition from UHH and TIO and also extended time for preparing finding of fact and conclusion of law.

Kailua Kona HI., March 22, 2017


Cindy Freitas Petitioner

DECLARATION OF CINDY FREITAS

CINDY FREITAS hereby declares as follows:

1. I am competent to testify to the matters set forth herein and do so on personal knowledge, unless otherwise indicated.
2. The transcription was prepared from a video by Na Leo TV "Video on Demand Play list" TMT Hearing Coverage March 2, 2017 (Part 2), time stamp 5:42:37
3. Mr. Pisciotta stated, "If in fact you will give us leave when we start to fill like we are being overwhelm, I don't know what it's called, can we ask you or write to you.."
4. Hear Officer stated, "every communication with me here after will be in writing." She also stated, "unless it's a series thing, then I don't expect to see or hear many objection.
5. I, CINDY FREITAS, do declare under penalty of law do declare that the foregoing is true and correct to the best of my knowledge and belief.

Kailua Kona HI., March 22, 2017


Cindy Freitas Petitioner