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BOARD OF LAND AND NATURAL RESOURCES
FOR THE 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'ohē Mauka, Hāmākua,
Hawai'i, TMK (3) 4-4-015:009

Case No. BLNR-CC-16-002

**TMT INTERNATIONAL OBSERVATORY,
LLC'S OPPOSITION TO DWIGHT
VICENTE'S MOTION TO RECONSIDER
[DOC. NO. 574]; CERTIFICATE OF
SERVICE**

**TMT INTERNATIONAL OBSERVATORY, LLC'S OPPOSITION TO
DWIGHT VICENTE'S MOTION TO RECONSIDER [DOC. NO. 574]**

TMT INTERNATIONAL OBSERVATORY, LLC ("TIO"), by and through its
undersigned counsel, hereby submits its Opposition to Dwight Vicente's Motion to Reconsider
[Doc. No. 574] ("Motion").

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DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII


The Hearing Officer correctly denied all of Mr. Vicente's exhibits (Q-1 through Q-20) because they were immaterial, irrelevant, and beyond the scope of this contested case pursuant to Minute Order No. 19 [Doc. No. 281]. See Hawaii Administrative Rules ("HAR") § 13-1-35. In Minute Order No. 19, as authorized under Hawaii Revised Statutes § 91-9(b)(4) and HAR §§ 13-1-32(c) and 13-1-36(a), the Hearing Officer ruled that the following issues were not material or relevant and therefore would not be addressed in this contested case hearing:

- (1) The sovereignty of the Kingdom of Hawaii or any other issues relating to the purported existence of the Kingdom of Hawaii;
- (2) Challenges to the legal status of the State of Hawaii; and
- (3) Challenges to the State's ownership of and title to the lands related to this contested case hearing.

Minute Order No. 19 at 5.

In his Motion, Mr. Vicente does not dispute and instead confirms that his exhibits (and his entire case for that matter) concern or relate to the above issues that were specifically excluded from this contested case hearing as part of Minute Order No. 19. Having affirmed that his exhibits concern immaterial and irrelevant issues that are beyond the scope of this contested case, Mr. Vicente's Motion should be denied.

DATED: Honolulu, Hawaii, May 4, 2017.



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BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

Contested Case Hearing Re Conservation
District Use Application (CDUA) HA-3568
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Kea Science Reserve, Ka'ohē Mauka,
Hāmakua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-002

CERTIFICATE OF SERVICE

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

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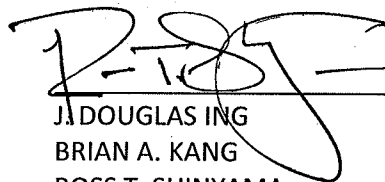
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