

From: Ed Bushor <ed@towerdevcon.com>

Sent: Thursday, June 16, 2022 10:03 AM

To: Tsuji, Russell Y <[REDACTED]>; Case, Suzanne D <[REDACTED]>; Moore, Kevin E <[REDACTED]>

Cc: Cal Chipchase <cchipchase@cades.com>; Moore, Kevin E <[REDACTED]>; Heit, Gordon C <[REDACTED]>; Hirokawa, Ian C <[REDACTED]>; Michael Lam, Esq <MLL@caselombardi.com>; Ted Pettit <TNP@caselombardi.com>; David Brittin <DGB@caselombardi.com>; Justin Sugiyama <jsugiyama@cades.com>

Subject: [EXTERNAL] Re: Mortgage Consent Request

Aloha all,

I have many times tried to be on agendas, and until legal informs me and we are confirmed I didn't know. Cal sent me an email when I was traveling and stated he assumed the meeting was the "next Friday" so I apologize as I took that email as a correct understanding from Cal. Cal never informed me the meeting had us on the agenda and we obviously had a miscommunication and we apologize.

But Hilo is at stake and so is a great Hotel that we have a great resolution for Covid and I hope you can understand after all Tower has done for the community and Hotel, that we deserve to be heard.

We will lose our loan if we can't be heard on June 24th and at least give you the truths that we about the loan. For example, DNLR was never told there is a \$2M interest reserve so there is no risk of non-payment of the interest. That was not reported to the Board and they need to know that to understand the Loan is very reasonable solution to have everyone paid and have the Hotel continue positively.

I plead to give us an opportunity to be heard as we are for the people and do not want disruption caused by this current very unfair lender that will cause many negative impacts to Hilo, Big Island and the State if we don't have the opportunity to be heard and show the Loan is reasonable so we can pay off the \$62M owed to the current lender, which by the way is the same amount of a loan that exists today, as the new loan. So it is replacing a good lender with a very unfair lender which will be best for Hilo, DLNR and everyone involved.

Thank you for your consideration.

Aloha and blessings,

Ed "Z" Bushor

CEO

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From: "Tsuji, Russell Y" <[REDACTED]>
Date: Wednesday, June 15, 2022 at 9:17 AM
To: Edward Bushor <ed@towerdevcon.com>
Cc: Cal Chipchase <cchipchase@cades.com>, Suzanne Case <[REDACTED]>, Kevin Moore <[REDACTED]>, "Heit, Gordon C" <[REDACTED]>, "Hirokawa, Ian C" <[REDACTED]>
Subject: RE: Mortgage Consent Request

Mr. Bushor:

The 14th came and went, and we did not receive anything from you or on your behalf. You will not be on the agenda.

I am attaching my June 10, 2022 letter (without enclosures) that was sent to you and Mr. Cal Chipchase which clearly shows you had notice of the June 9th meeting, and what the Board asked of you at the May 31st meeting.

Earlier this week, the two Big Island newspapers published an article describing the issues and questions raised about the Naniloa at the June 9 meeting. The meeting was also on YouTube.

Very truly yours,

Russell Y. Tsuji
Administrator

From: Ed Bushor <ed@towerdevcon.com>
Sent: Monday, June 13, 2022 12:14 PM
To: Case, Suzanne D <[REDACTED]>; Tsuji, Russell Y <[REDACTED]>; Moore, Kevin E <[REDACTED]>
Cc: Heit, Gordon C <[REDACTED]>; Ted Pettit <TNP@caselombardi.com>; Cal Chipchase <cchipchase@cades.com>; David Brittin <DGB@caselombardi.com>
Subject: [EXTERNAL] Re: Mortgage Consent Request

Aloha Chair, BNL, Kevin and Russell,

1. We apologize for not understanding that a formal meeting/agenda was set. I was relying on legal to handle conveying all documents and making sure DLNR had what they needed prior to being on the next agenda. I thought legal was still processing the request and documents that you needed. Tower obviously would have appeared had my legal informed me there was a formal meeting/agenda approved and we had all items submitted.
2. WHR respectfully requests to be on the next agenda and I have asked counsel to submit all answers to your questions by Tuesday June 14, 2022.

3. On June 7, 2022, I had asked legal counsel to inquire whether there were any additional items still needed by DLNR in order for us to be placed on the next formal agenda so I frankly was unaware we had been confirmed on the BLNR hearing. This was a shock as I was relying on the legal to confirm. I was on a flight to San Francisco and had I known, I would have appeared, and personally apologize for the mishap, as we are in need of being heard at the next BLNR hearing.

4. Our loan is set to close at the end of this month and we hope you understand that being heard at the next June BLNR hearing is a fair outcome and submittal of answers to DLNR questions will be completed and any other information needed will be delivered to DLNR by Tuesday June 14, 2022, by legal counsel.

Aloha and blessings,

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