

BOARD OF LAND AND NATURAL RESOURCES


STATE OF HAWAII

IN THE MATTER OF ) Case No. BLNR-CC-17-001  
)  
A Contested Case Hearing Re Final Habitat ) MINUTE ORDER NO. 13;  
Conservation Plan and Incidental Take License ) CERTIFICATE OF SERVICE  
for the Na Pua Makani Wind Energy Project by )  
Applicant Na Pua Makani Power Partners, LLC; )  
Tax Map Key Nos. (1) 5-6-008:006 and )  
(1) 5-6-006:018, Koolauloa District, Island of )  
O'ahu, Hawaii. )  
\_\_\_\_\_ )

**MINUTE ORDER NO. 13**

At the oral argument on January 12, 2018, Maxx E. Phillips, attorney for Petitioner Keep the North Shore Country, made an oral request that Board of Land and Natural Resources member Samuel Ohu Gon III recuse himself from the above-entitled contested case. A request for recusal shall be made by motion. Keep the North Shore Country may file a motion to recuse no later than 4:00 p.m. on January 24, 2018. Opposition to the motion may be filed no later than 4:00 p.m. on January 31, 2018. Keep the North Shore Country may file a reply brief no later than 4:00 p.m. on February 7, 2018. The filings shall address the applicability of the Hawai'i Supreme Court's decision in *Liberty Dialysis-Hawaii, LLC v. Rainbow Dialysis, LLC, et al.*, 130 Hawai'i 95, 306 P.3d 140 (2013).

DATED: Honolulu, Hawaii, January 17, 2018.

  
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SUZANNE D. CASE, Chairperson  
Board of Land and Natural Resources and  
Presiding Officer

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\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of Minute Order No. 12 was duly served upon the following parties, by U.S. Mail, postage prepaid and by email, at the addresses below:

KEEP THE NORTH SHORE COUNTRY

MaxxEPhillips@gmail.com

and

Maxx E. Phillips, Esq.  
66-250 Kamehameha Highway, Suite D-103  
Haleiwa, Hawaii 96712

davidkimofrankel@hawaiiantel.net

and

David Kimo Frankel  
1638-A Mikahala Way  
Honolulu Hawaii 96816

and

gil@gilriviere.com

MS. ELIZABETH J. RAGO

56-331 Kekauoha Street  
Kahuku, Hawaii 96731

and

elizabethrago@gmail.com

NA PUA MAKANI POWER PARTNERS LLC

John P. Manaut, Esq.

Puananionaona P. Thoene, Esq.

Carlsmith Ball LLP

ASB Tower, Suite 2100

1001 Bishop Street

Honolulu, Hawaii 96813

and

[jpm@carlsmith.com](mailto:jpm@carlsmith.com)

and

[ptheoene@carlsmith.com](mailto:ptheoene@carlsmith.com)

COUNSEL FOR THE  
BOARD OF LAND AND NATURAL RESOURCES

Cindy Y. Young

Deputy Attorney General

Department of the Attorney General

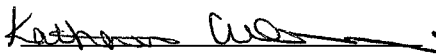
465 South King Street, Room 300

Honolulu, Hawaii 96813

and

[cindy.y.young@hawaii.gov](mailto:cindy.y.young@hawaii.gov)

DATED: Honolulu, Hawai'i, January 17, 2018.



KATHERINE CULLISON

Department of Land and Natural Resources