STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. OSH 2003-2
	)	(Discrimination Complaint)
VERNON Y. YAMADA,	)	
	)	ORDER NO. 38
Complainant,	)	
	)	PRETRIAL ORDER
vs.	)	
	)	
FOUR SEASONS RESORT HUALALAI,	)	
	)	
Respondent,	)	
	)	
and	)	
	)	
DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS,	)	
	)	
Appellee.	)	
	)	

PRETRIAL ORDER

Pursuant to the representations of Complainant VERNON Y. YAMADA (YAMADA), pro se, and counsel for Respondent FOUR SEASONS RESORT HUALALAI (FOUR SEASONS RESORT) and Appellee DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, at the continued initial conference held on March 19, 2003, IT IS HEREBY ORDERED THAT:

1.   The hearing on Respondent FOUR SEASONS RESORT's Motion to Dismiss Complainant's Appeal filed on February 18, 2003 is continued to April 17, 2003 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu unless earlier withdrawn.

2.   The issue to be determined is whether Respondent FOUR SEASONS RESORT discriminated against Complainant YAMADA because of safety-related complaints allegedly made by him?

3.   Discovery deadlines are:

        Live and unnamed witness
        identification deadline: identification

and exchange of expert witness'
report   April 30, 2003

Discovery cut-off   May 19, 2003
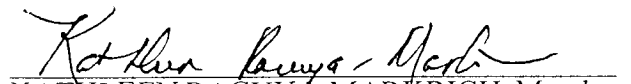
3.   Trial is scheduled on June 3, 2003 at 9:30 a.m. in the Board's
      above-referenced hearing room. The trial shall continue from day to day until
      completed.

4.   Hereafter, this Pretrial Order shall control the course of proceedings and may
      not be amended except by consent of the parties and the Board, or by order of
      the Board.

      DATED: Honolulu, Hawaii, _____ March 19, 2003 _____.

                              HAWAII LABOR RELATIONS BOARD

                              _____
                              BRIAN K. NAKAMURA, Chair

                              _____
                              CHESTER C. KUNITAKE, Member

                              _____
                              KATHLEEN RACUYA-MARKRICH, Member

                        NOTICE TO EMPLOYER

        You are required to post a copy of this Order at or near where citations under the
Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial
date.

Copies sent to:

Vernon Y. Yamada
Jeffrey S. Harris, Esq..
Leo B. Young, Deputy Attorney General