



STATE OF HAWAII

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Transaction ID 62400488
Case No. OSH 2018-16

HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

and

PHOENIX RENOVATION CORP, dba
Sage Water,

Respondent.

CASE NO. OSH 2018-16

ORDER NO. 1025

ORDER GRANTING COMPLAINANT
DIRECTOR OF LABOR AND
INDUSTRIAL RELATIONS' MOTION
TO CONTINUE *DE NOVO* HEARING
DATE, STATUS CONFERENCE, AND
PRE-HEARING DEADLINES;
CERTIFICATE OF SERVICE

**ORDER GRANTING COMPLAINANT DIRECTOR OF LABOR AND
INDUSTRIAL RELATIONS' MOTION TO CONTINUE *DE NOVO*
HEARING DATE, STATUS CONFERENCE, AND PRE-HEARING DEADLINES**

On August 28, 2018, the DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS (Complainant), by and through his attorney, Doris Dvorch, Deputy Attorney General, filed COMPLAINANT DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS' MOTION TO CONTINUE *DE NOVO* HEARING DATE, STATUS CONFERENCE, AND PRE-HEARING DEADLINES; DECLARATION OF DORIS DVORCH (Motion) with the Board. The Motion stated that the parties have reached a settlement in principal and desire to continue working on settlement, which would include drafting and signing the settlement agreement. Complainant's Counsel has conferred with Respondent, and Respondent is in agreement with this motion to continue.

Accordingly, for good cause shown, the Board hereby GRANTS Complainant's Motion.

NOTICE RESCHEDULED DE NOVO HEARING

NOTICE IS HEREBY GIVEN that, pursuant to Hawaii Revised Statutes (HRS) §§ 91-9, 396-11, and 396-11.5, the Board will conduct a *de novo* Hearing in the Board's hearing room located at 830 Punchbowl Street, Room 434, Honolulu, Hawaii, 96813 on the following date and may be continued by the Board until completed.

Hearing Date: January 29, 2019 at 9:00 a.m.

Parties, party representatives, and witnesses may not appear telephonically at the *de no* hearing and must appear in person. The parties should be aware that the Board is located in a secured State of Hawaii building, and that any party, representative, counsel, witness, or other person attending the hearing will need to present a government-issued identification for entry.

DEADLINES & HEARING DATES FOR:

	Date	Time
<u>A Party's Position Statement</u>	10/30/18	
<u>Discovery Cutoff</u> All discovery shall be <u>completed</u> by this date. A discovery request shall be served sufficiently in advance to allow for response by the deadline.	12/11/18	
<u>Filing of a Dispositive Motion except a motion based on Untimeliness</u>	12/18/18	
<u>Response to a Dispositive Motion except a motion based on Untimeliness</u>	12/26/18	
<u>Status Conference and Oral Arguments on a Dispositive Motion except a motion based on untimeliness</u>	01/03/19	9:00 am
<u>Exchange of Witness Lists</u> The witness lists shall include, in the interest of judicial economy, a brief but meaningful summary or general statement of the nature of the testimony expected, and the order in which the witnesses are expected to be called. The summary or general statement for each witness shall include sufficient information for the Board to determine whether the testimony will be irrelevant, immaterial, or unduly repetitious to any other witness testimony; see, Hawaii Revised Statutes § 91-10(1).	01/15/19	
<u>Exchange of Exhibit Lists for an Appeal or a Discrimination Complaint</u> Unless specified by the Board, Complainant shall use numerical Designations 1-2-3-4, etc. to identify its exhibits. Respondent or Respondent-Appellee shall use alphabetical letters A-B-C-D. Appellee, if any, shall use alphabetical letters with numbers A1, A2, A3, etc. The HIOSH report shall be filed by HIOSH as its first exhibit.	01/15/19	

DEADLINES & HEARING DATES FOR (cont'd)

Date Time

Exchange of Joint Exhibit Lists

01/15/19

If the parties have agreed to submit proposed Joint Exhibits, then the Exhibits shall be marked with a J and then a number, i.e. J-1, etc.

Exchange and Filing of Proposed Exhibits

01/15/19

The parties are encouraged to use the File & ServeXpress eFiling System to file their proposed exhibits before or by 4:30 p.m. on the deadline day. The exhibits shall be filed in a searchable portable document format (PDF) with each exhibit treated as a separate PDF file not exceeding 15 megabytes and identified by exhibit number. Alternatively, a party may file exhibits in person or by mail to the Board; the date of receipt by the Board shall be deemed the date of Filing.

If there are Joint Exhibits, the parties shall designate one party to File these exhibits, who shall comply with the above requirements.

De Novo Hearing

01/29/19 9:00 am

All submissions shall be filed on or before 4:30 p.m. on the deadline date.

DATED: Honolulu, Hawaii, August 30, 2018.

HAWAII LABOR RELATIONS BOARD



MARCUS R. OSHIRO, Chair



SESNITA A.D. MOEPONO, Member



J.N. MUSTO, Member

Copies sent to

Doris Dvonch, Deputy Attorney General
David Schanuel