

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

JAMES P. STONE,

Complainant,

and

HAWAII AIR AMBULANCE (HAWAII LIFE
FLIGHT),

Respondent,

and

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Appellee.

CASE NO. OSH 2011-10
DISCRIMINATION COMPLAINT

ORDER NO. 489

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the initial conference in this matter held by the Hawaii Labor Relations Board (Board) on November 14, 2012, and attended by Christopher Pan, Esq., for Complainant, Corianne W. Lau, Esq., for Respondent HAWAII AIR AMBULANCE (HAWAII LIFE FLIGHT) and Herbert B.K. Lau, Deputy Attorney General, for Appellee, IT IS HEREBY ORDERED THAT:

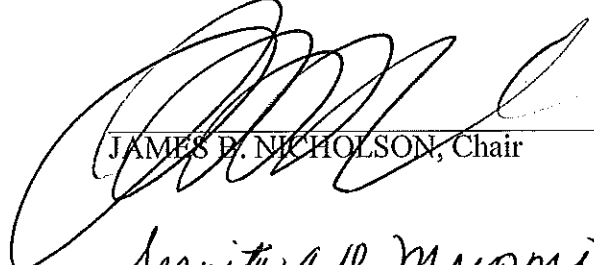
1. The issue to be determined at trial are as follows:
 - A. Whether the Director's November 24, 2010, decision properly dismissed Complainant Stone's discrimination claim, since he was terminated for reporting unsafe working conditions in violation of Hawaii Revised Statutes § 396-8?¹
 - B. If not, what is the appropriate relief?

¹The Board accepts Complainant's Statement of Issue in his Initial Conference Statement of Complainant-Appellant James P. Stone, filed on May 23, 2011.

2. The deadline for filing any motions is **December 14, 2012**. The deadline to file responses to the motions is **January 8, 2013**. The hearing on any motions is scheduled on **January 14, 2013 at 10: 00 a.m.** in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.
3. If no motions are filed, the following deadlines and trial date are applicable. The deadline for filing the parties' final naming of witnesses is **January 11, 2013**. Each party shall file with the Board the original and four copies of its list of witnesses it plans to call at trial, along with the witnesses' addresses and brief summary of expected subject of their testimony, with a certificate of service to the other party, by this date. Each party shall also exchange any expert witness reports by this date.
4. The discovery cutoff date is **February 11, 2013**. All other discovery and information requests, including depositions and document requests, must be completed by this date.
5. Trial in this matter is scheduled on **March 12-14** and **March 19-21, 2013 at 9:00 a.m.**, in the above-referenced hearing room. The trial will continue from day-to-day until completed. The parties shall submit to the Board four copies of all exhibits identified and offered into the record. Additional copies for opposing counsel shall also be provided.
6. 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, November 19, 2012.

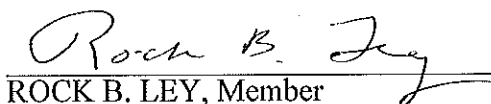
HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SESNITA A.D. MOEPONO, Member



ROCK B. LEY, Member

JAMES P. STONE v. HAWAII AIR AMBULANCE (HAWAII LIFE FLIGHT), et al.
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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. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees, if any, at least five working days prior to the trial date.

Copies sent to:

Christopher Pan, Esq.
Corianne W. Lau, Esq.
Herbert B.K. Lau, Deputy Attorney General

