

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Complainant,

and

TESORO HAWAII, LLC,

Respondent.

CASE NO. OSH 2013-14

ORDER NO. 514

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the initial conference/settlement conference in this matter by the Hawaii Labor Relations Board (Board) on September 4, 2013, and attended by Lawrence Nakano, Deputy Attorney General, for Complainant and Wade Nakashima for Respondent. IT IS HEREBY ORDERED THAT:

The Board sets the following deadlines and hearing dates.

1. The deadline to file the identification of live witnesses is **November 12, 2013**. Each party shall provide a list of the names of witnesses it plans to call at trial, along with the address of each witness and the general subject to which the witness will testify, to the other party and to the Board by this date.
2. The discovery cutoff date is **December 12, 2013**. All discovery completed-depositions, document request or any other discovery (**Discovery, depositions, and interrogatories: the parties are not required to file motion to permit discovery. Discovery will be controlled by the Hawaii Rules of Civil Procedure**).

3. The deadline for the parties to exchange exhibit list is **January 7, 2014**. In identifying exhibits, Complainant shall use numbers and Respondent shall use the letters of the alphabet. The HIOSH investigative file shall be marked as Complainant's Exhibit 1. Three (3) hard copies and one (1) .pdf copy of the HIOSH investigative file shall be provided to the Board.
4. Trial in this matter is scheduled for **January 14, 15 and 16, 2014 at 9:00 a.m.** in the Board's hearing room located at 830 Punchbowl Street, Room 434, Honolulu, Hawaii, 96813. The trial may be continued by the Board until completed.

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. Any request by a party to change any of the dates herein must be made by filing a motion.

DATED: Honolulu, Hawaii, September 4, 2013.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SESNITA A. D. MOEPONO, Member



ROCK B. LEY, 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. 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:

Lawrence Nakano, Deputy Attorney General  
Wade Nakashima, Esq.  
Diantha Goo, HIOSH