

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

and

BEACHSIDE ROOFING, LLC,

Respondent.

CASE NO. OSH 2013-26

ORDER NO. 556

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the Status Conference held in this matter by the Hawaii Labor Relations Board (Board) on February 27, 2014, and attended by Herbert Lau, Deputy Attorney General for Complainant and Matthew C. Shannon, Esq. for Respondent, the Board sets the following deadlines and hearing date. IT IS HEREBY ORDERED THAT:

1. The deadline to file the identification of live witnesses is **April 16, 2014. By this date, each party shall provide the other party and the Board with a list of the names of witnesses it plans to call at trial, and the general subject to which the witness will testify.**
2. The discovery cutoff date when all discovery will be completed is **May 16, 2014. The parties are not required to file motions to permit discovery. Discovery will be controlled by the Hawaii Rules of Civil Procedure.**
3. The deadline for the parties to exchange exhibit lists is **June 10, 2014.** The HIOSH investigative report, not the entire file, shall be numbered and marked as Complainant's Exhibit 1. In identifying exhibits, Complainant shall use numerical designations 1-2-3-4, etc. to identify exhibits and Respondents shall use alphabetical letters A-B-C-D, etc. to identify its exhibits. Copies of proposed exhibits shall be provided to the Board by noon on June 16, 2014, which is the last business

day before the hearing, as follows: one (1) set each for the Board, the witness, opposing counsel and yourself, and one (1) PDF copy for the Board.

3. Trial in this matter is scheduled for **June 17, 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 including any scheduled trial date, and may not be amended except by a party's request with written consent of all parties and the Board, or by an order granting a motion filed with the Board.

DATED: Honolulu, Hawaii, February 27, 2014.

HAWAII LABOR RELATIONS BOARD



JAMES 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:
Herbert Lau, Deputy Attorney General
Matthew C. Shannon, Esq.