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Case No. OSH 2013-2

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

and

TORY'S ROOFING & WATERPROOFING,
INC.,

Respondent.

CASE NO. OSH 2013-2

ORDER NO. 576

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the status conference held in this matter by the Hawaii Labor Relations Board (Board) on May 12, 2014, and attended by Robyn M. Kuwabe, Deputy Attorney General for Complainant and Michael Tory, 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 **August 4, 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, along with the address of each witness and the general subject to which the witness will testify.**
2. The discovery cutoff date when all discovery will be completed is **August 4, 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 **August 27, 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 its 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 September 2, 2014, the last business day before the trial 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 **September 3 and 4, 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, May 12, 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:
Robyn M. Kuwabe, Deputy Attorney General
Michael Tory