

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. DR-03-73
LEWIS W. POE,)	ORDER NO. 1914
)	
Petitioner.)	FINDINGS OF FACT, CON-
)	CLUSIONS OF LAW AND ORDER
)	DENYING PETITION FOR
)	DECLARATORY RULING

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER DENYING PETITION FOR DECLARATORY RULING

1. On December 29, 1998, LEWIS W. POE (POE) petitioned the Hawaii Labor Relations Board (Board) for a declaratory ruling pursuant to Hawaii Administrative Rules (HAR) § 12-42-9, stemming from an earlier petition for declaratory ruling in Case No. DR-03-67, in which POE sought permission to proceed with discovery to serve "interrogatories to parties" as provided under Hawaii Rules of Civil Procedure (HRCP) Rule 33 and Hawaii Administrative Rules (HAR) § 12-42-8(g)(6) relating to discovery, depositions, and interrogatories.


2. On August 30, 2000, the Board issued Order No. 1910 in Case No. DR-03-67 which, inter alia, denied as moot POE's petition for declaratory ruling and POE's application for permission to proceed with discovery under HRCP Rule 33, "Interrogatories to Parties."

3. In light of the Board's Order in Case No. DR-03-67, the Board concludes that pursuant to HAR § 12-42-9(f), there is good cause for refusing to issue a declaratory order in this case.

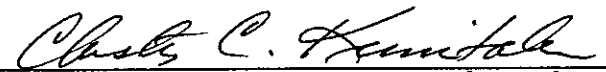
4. The Board hereby orders the petition in the above-captioned matter, be denied.

DATED: Honolulu, Hawaii, August 31, 2000.

HAWAII LABOR RELATIONS BOARD



BRIAN K. NAKAMURA, Chairperson



CHESTER C. KUNITAKE, Board Member



KATHLEEN RACUYA-MARKRICH, Board Member

Copies sent to:

Lewis W. Poe
Joyce Najita, IRC