

Of Counsel:
TAKAHASHI and COVERT
Attorneys at Law

2011 OCT 13 AM 7:52

HERBERT R. TAKAHASHI #1011-0
REBECCA L. COVERT #6031-0
DAVINA W. LAM #9115-0
345 Queen Street, Room 506
Honolulu, Hawaii 96813
Telephone Number: (808) 526-3003
Facsimile Number: (808) 531-9894

HAWAII LABOR
RELATIONS BOARD

Attorneys for Complainant

HAWAII LABOR RELATIONS BOARD

STATE OF HAWAII

In the Matter of) Case No. CE-05-782
)
HAWAII STATE TEACHERS)
ASSOCIATION,)
)
Complainant,) STIPULATION FOR PRE-HEARING
) DISCOVERY, RESCHEDULING OF
) HEARING, AND ORDER
and)
)
KIHEI CHARTER SCHOOL, State of)
Hawaii; LOCAL SCHOOL BOARD,)
Kihei Charter School, State of)
Hawaii; and GENE ZARRO, Chair,) TRIAL
Local School Board, Kihei) Date: October 17, 2011
Charter School (2011-021),)
)
Respondents.)

STIPULATION FOR PRE-HEARING DISCOVERY,
RESCHEDULING OF HEARING, AND ORDER

COME NOW the Hawaii State Teachers Association ("HSTA") and Kihei Charter School, Local School Board, and Gene Zarro (jointly referred to for purposes herein as Employer), by and through their undersigned counsel and stipulate to the following in the above referenced case:

1. The Board has scheduled trial to commence on October 17, 2011 and scheduled October 11, 2011 for the parties to request their subpoenas and October 12, 2011 for the parties to submit witness and exhibits lists and HSTA to submit its order of first day witnesses.

2. The HSTA and Employer expressly agree to waive the 40-day hearing requirement in Section 377-9 (b), HRS, and agree to permit HSTA to seek discovery of documents that otherwise would be sought in a subpoena duces tecum to be produced at time of trial. To allow for pre-hearing discovery HSTA and the Employer seek to reschedule the trial date and the related deadlines on requesting subpoenas and filing exhibit and witness lists and order of first day witnesses.

3. The following deadlines will apply:

- a. HSTA will submit to the Employer within seven days of the filing of this stipulation and order, if so entered, a request of documents from Respondents;
- b. Employer will have thirty days within which to produce the responsive documents in its possession or provide HSTA with specific objections. To the extent the Employer is not providing specific objections the documents will be produced within the thirty days;
- c. With respect to document requests to which Employer objects, HSTA may file a motion to compel production of those documents;
- d. Trial will be re-scheduled thirty days from the date the documents are produced or as

soon thereafter as the Board can schedule. The Board will notice the deadlines for related deadlines on requesting subpoenas and filing exhibit and witness lists and order of first day witnesses.

Dated: Honolulu, Hawaii, October 10, 2011.



Rebecca L. Covert
Attorney for Complainants
HSTA



Richard Thomason
Deputy Attorney General
Attorney for Respondents
Kihei Charter School, Local
School Board, and Gene Zarro

Approved and So Ordered:

ORDER NO.: 2822

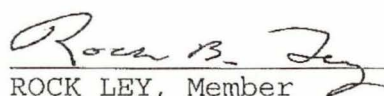
DATED: October 13, 2011



JAMES B. NICHOLSON, Chair



SESNITA MOEPONO, Member



ROCK LEY, Member

HSTA v. Kihei Charter School, et al.; Case No. CE-05-782;
STIPULATION FOR PRE-HEARING DISCOVERY, RESCHEDULING OF HEARING,
AND ORDER