



**EFiled: May 04 2017 03:12PM HAST  
Transaction ID 60559614  
Case No. CE-03-806**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO,

Complainant,

and

NEIL ABERCROMBIE, Governor, State of  
Hawaii; WILLIAM J. AILA, Chairperson,  
Board of Land and Natural Resources, State  
of Hawaii; RANDY L. AWO, Acting Chief  
of Enforcement, Department of Land and  
Natural Resources, State of Hawaii; and  
CLARENCE M. YAMAMOTO, Acting Maui  
Branch Conservation and Resources  
Enforcement District Manager, Division of  
Conservation and Resources Enforcement  
Maui Branch, Department of Land and  
Natural Resources, State of Hawaii,

Respondents. <sup>1</sup>

CASE NO. CE-03-806

ORDER NO: 3260

ORDER GRANTING HGEA/AFSCME  
MOTION TO WITHDRAW PROHIBITED  
PRACTICE COMPLAINT FILED ON JUNE  
8, 2012

**ORDER GRANTING HGEA/AFSCME MOTION TO WITHDRAW  
PROHIBITED PRACTICE COMPLAINT FILED ON JUNE 8, 2012**

On April 26, 2017, the Complainant Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO filed PROHIBITED PRACTICE COMPLAINT FILED ON JUNE 8, 2012 (Motion to Withdraw Complaint).

---

<sup>1</sup> Pursuant to Hawaii Rules of Civil Procedure (HRCP) Rule 25(d)(1), when a public officer is a party to an action in an official capacity and during its pendency dies, resigns or otherwise ceases to hold office, the action does not abate and the officer's successor is automatically substituted as a party; proceedings following the substitution shall be in the name of the substituted party, but any misnomer not affecting the substantial rights of the parties shall be disregarded. Although the Board does not amend the caption in this matter, the Board pursuant to HRCP Rules 25(d)(1), deems the successors to the named Respondents to be parties in this matter.

Pursuant to Hawaii Administrative Rules (HAR) § 12-42-8(g)(3)(C)(iii), Respondents NEIL ABERCROMBIE, Governor, State of Hawaii; WILLIAM J. AILA, Chairperson, Board of Land and Natural Resources, State of Hawaii; RANDY L. AWO, Acting Chief of Enforcement, Department of Land and Natural Resources, State of Hawaii; and CLARENCE M. YAMAMOTO, Acting Maui Branch Conservation and Resources Enforcement District Manager, Division of Conservation and Resources Enforcement Maui Branch, Department of Land and Natural Resources, State of Hawaii (Respondents) have five days after service of the Motion to Withdraw Complaint to file a response.

To date, Respondents have not responded to the Motion to Withdraw Complaint.

Moreover, Hawaii Administrative Rules § 12-42-44 states:

§ 12-42-44 Withdrawal. Any complaint may be withdrawn at any time prior to the issuance of a final order thereon, upon motion and with the consent of the board. Whenever the board approves the withdrawal of such complaint, the case shall be closed.

A final order has not been issued on the Prohibited Practice Complaint filed in this case. Accordingly, in accordance with HAR § 12-42-44 and the lack of Respondents' objections, the Board grants the Motion to Withdraw Complaint, and this case is closed.

DATED: Honolulu, Hawaii, May 4, 2017.

HAWAII LABOR RELATIONS BOARD



*Sesnita A. D. Moepono*  
SESNITA A.D. MOEPONO, Member

*J.N. Musto*  
J.N. MUSTO, Member

Copies to:

Peter Liholiho Trask, Esq.  
James E. Halvorson, Esq.

