

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)	
STATE OF HAWAII ORGANIZATION)	Case No. <u>CE-12-67</u>
OF POLICE OFFICERS (SHOPO),)	
Complainant,)	Order No. <u>388</u>
and)	
FRANK F. FASI, Mayor of the)	
City and County of Honolulu,)	
Respondent.)	

ORDER DENYING MOTION FOR PROTECTIVE
ORDER AND DENYING MOTION TO DISMISS

On December 2, 1980, Respondent filed an application for taking of deposition by written interrogatories. This application was approved by the Board in Order No. 370, dated December 15, 1980. Complainant made no timely objection to said application.

The parties by stipulation agreed that SHOPO would have until February 2, 1981 within which to file its answers to the interrogatories. On February 2, 1981, Complainant filed its motion for protective order, requesting that the Board prohibit Respondent from asking certain of its questions.

Respondent filed a memorandum and supplemental memorandum in opposition to the motion for protective order, and a motion to dismiss based on Complainant's alleged willful disregard of Order No. 370. Complainant filed a memorandum in opposition to Respondent's motion to dismiss and supplemental memorandum in support of Complainant's motion for protective order.

A hearing was held on the motion for protective order and the motion to dismiss on February 13, 1981 in the Board's hearings room.

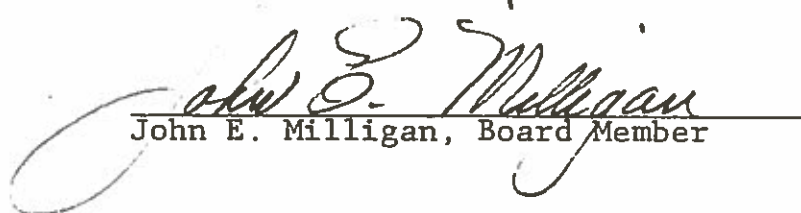
Based on a full consideration of the parties' briefs, oral arguments and the record, both the motion for protective order and the motion to dismiss are denied.

Complainant shall file with the Board answers to the interrogatories, with proof of service upon Respondent, by 4:30 p.m., March 2, 1981.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


Mack H. Hamada, Chairman


James K. Clark, Board Member


John E. Milligan, Board Member

Dated: February 17, 1981

Honolulu, Hawaii