



STATE OF HAWAI'I
HAWAII LABOR RELATIONS BOARD

EFiled: Dec 03 2015 09:19AM HAST
Transaction ID 58243878
Case No. 2014-33

In the Matter of)	
)	CASE NO. OSH 2014-33
DIRECTOR, DEPARTMENT OF LABOR)	
AND INDUSTRIAL RELATIONS)	ORDER NO. 722
)	
Complainant,)	ORDER GRANTING MOTION TO
)	CONTINUE ALL PENDING
and)	DEADLINES INCLUDING TRIAL;
)	AMENDED PRETRIAL ORDER
ELEMENTAL ENERGY LLC dba)	
SUNETRIC,)	
)	
Respondent.)	
)	
)	

ORDER GRANTING MOTION TO CONTINUE ALL PENDING
DEADLINES INCLUDING TRIAL; AMENDED PRETRIAL ORDER

On November 24, 2015, Complainant DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS (Complainant) filed at the Hawaii Labor Relations Board (Board) Complainant's Motion to Continue all Pending Deadlines Including Trial (Motion) for three months in the above-captioned matter. In his Declaration attached to Complainant's Motion, Complainant's counsel stated that he had conferred with counsel for Respondent ELEMENTAL ENERGY, LLC dba Sunetric (Respondent) and counsel for the parties "mutually agreed to continue all pending deadlines, including trial, for three months to give both parties time to conduct additional discovery, explore settlement and prepare for trial, if necessary."

On November 27, 2015, Respondent's counsel filed Respondent's Joinder in Complainant's Request to Reschedule All Pending Deadlines and the Trial for Three Months, stating that Respondent did not oppose Complainant's continuance request.

Based on the foregoing, and for good cause shown, the Board hereby GRANTS Complainant's Motion filed November 24, 2015. By Amended Pretrial Order, which amends Order No. 708, Pretrial Order, as stated below, the discovery deadlines and trial date in this matter are continued and rescheduled for three months after the previously established deadlines and trial date, as requested and agreed to by the parties.

AMENDED PRETRIAL ORDER

IT IS HEREBY ORDERED THAT:

Pursuant to Hawaii Revised Statutes (HRS) §§396-3, 396-11 and 396-11.5, the Board sets the following deadlines and hearing dates:

<u>Deadline to file the identification of live witnesses.</u>	February 26, 2016
<u>Discovery Cutoff Date.</u>	March 28, 2016
<u>Deadline for Parties to Exchange Exhibit Lists.</u>	April 19, 2016
<u>Deadline to file & exchange Copies of Proposed Exhibits.</u>	April 22, 2016
<u>Hearing Date, Time and Place.</u>	April 26, 2016 at 9:00 a.m.

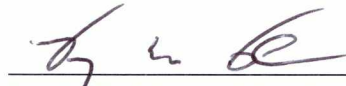
The trial may be continued by the Board until completed.

All other information contained in Order No. 708, Pretrial Order remains in effect.

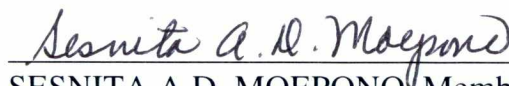
Hereafter, this Amended Pretrial Order shall control the course of proceedings including any scheduled trial date, and may not be amended except by a request by a party with written consent of the parties and the Board, or by an order granting a motion filed with the Board.

DATED: Honolulu, Hawaii, December 3, 2015.

HAWAII LABOR RELATIONS BOARD

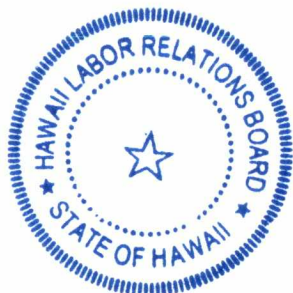


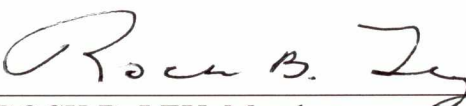
KERRY M. KOMATSUBARA, Chair



SESNITA A.D. MOEPONO, Member

DLIR v. ELEMENTAL ENERGY LLC dba SUNETRIC
CASE NO. OSH 2014-33
ORDER GRANTING MOTION TO CONTINUE ALL PENDING DEADLINES
INCLUDING TRIAL; AMENDED PRETRIAL ORDER
ORDER NO. 722





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:

J. Gerard Lam, Deputy Attorney General
Brian G.S. Choy, Esq.

