



In the Matter of

DIRECTOR, DEPARTMENT OF
LABOR AND INDUSTRIAL
RELATIONS,

Complainant,

and

NORDIC PCL CONSTRUCTION, INC.,

Respondent.

CASE NO. OSH 2015-41

ORDER NO. 743

PRETRIAL ORDER

Pursuant to the initial/settlement conference (conference) held in this matter by the Hawaii Labor Relations Board (Board) on January 6, 2016 and attended by Complainant's Representative Herbert B.K. Lau, Deputy Attorney General Respondent's Representative Patrick Jones, Esq.

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

Deadline to file the identification of live witnesses.

March 11, 2016

By this date, each party shall provide the other party and the Board with a list of the names of witnesses it plans to call at trial, along with the address of each witness and the general subject to which the witness will testify.

Discovery Cutoff Date.

April 11, 2016

All discovery will be completed by this date. The parties are not required to file motions to permit discovery. Discovery will be controlled by the Hawaii Rules of Civil Procedure.

Deadline for Parties to Exchange Exhibit Lists:

May 4, 2016

The HIOSH investigative report, not the entire file, shall be marked as Complainant's Exhibit 1. In identifying exhibits, Complainant shall use numerical designations 1-2-3-4, etc. to identify its exhibits and Respondent shall use alphabetical letters A-B-C-D, etc. to identify its exhibits.

Deadline to file & exchange Copies of Proposed Exhibits.

May 9, 2016

- a. If a party is utilizing the File & ServeXpress (FSX) e-filing system to file their proposed exhibits; then the party shall electronically serve any opposing party registered with FSX; provide to the Board one (1) hard copy of their exhibits for use by the witness during the hearing; and deliver a copy to each opposing party not registered with FSX; or
- b. If a party is not utilizing the File & ServeXpress eFiling system, then said party shall deliver one (1) hard copy of its proposed exhibits to each opposing party; to the Board for the witness during the hearing; and provide the Board with one (1) pdf copy of the exhibits in one file and bookmarked, or in individual files.

**May 11, 12, 2016
at 9:00 a.m.**

The trial may be continued by the Board until completed.

Auxiliary aids and services are available upon request; call Nora Ebata at (808) 586-8610, (808) 586-8847 (TTY), or 1 (888) 569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodation.

DATED: Honolulu, Hawaii, **January 7, 2016**


KERRY M. KOMATSUBARA, CHAIR

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SESNITA A.D. MOEPONO, 1V MBER

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