

**OFFICE OF THE COUNTY CLERK**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

April 25, 2022

Honorable Michael J. Molina, Chair  
Government Relations, Ethics, and Transparency Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Molina:

Respectfully transmitted are copies of the following documents that were referred to your Committee by the Council of the County of Maui at its meeting of April 22, 2022:

RESOLUTION:

- No. 22-98 - "AUTHORIZING SETTLEMENT OF CLAIM NO. 4070286 OF DAVID GARDINER"
- No. 22-99 - "APPOINTMENT OF KESHIA LEIANA ADOLPHO TO THE COMMISSION ON CHILDREN AND YOUTH FOR THE COUNTY OF MAUI"
- No. 22-102 - "AUTHORIZING SETTLEMENT OF ROBERT TURNER V. WAI-AHIWI GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)"
- No. 22-104 - "AUTHORIZING SETTLEMENT OF JAMIE BECRAFT V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 7-09-00849"
- No. 22-105 - "APPOINTMENT OF TONI KAHEALANI RUST TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI"

OFFICE OF THE  
COUNTY CLERK  
4/25/2022

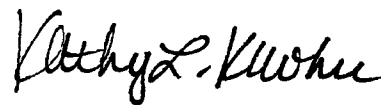
2022 APR 25 PM 1:08

RECEIVED

Honorable Michael J. Molina, Chair  
Government Relations, Ethics, and Transparency Committee  
Page 2  
April 25, 2022

Also transmitted for your convenience are copies of communications received from the Department of the Corporation Counsel pertaining to Resolution Nos. 22-98, 22-102, and 22-104, and the Mayor pertaining to Resolution Nos. 22-99 and 22-105.

Respectfully,

A handwritten signature in black ink, appearing to read "Kathy L. Kaho". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

KATHY L. KAOHU  
County Clerk

/jym

Enclosures

cc: Director of Council Services

MICHAEL P. VICTORINO  
Mayor

MOANA M. LUTEY  
Corporation Counsel

RICHELLE M. THOMSON  
First Deputy

LYDIA A. TODA  
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL  
COUNTY OF MAUI  
200 SOUTH HIGH STREET, 3<sup>RD</sup> FLOOR  
WAILUKU, MAUI, HAWAII 96793  
EMAIL: CORPCOUN@MAUICOUNTY.GOV  
TELEPHONE: (808) 270-7740  
FACSIMILE: (808) 270-7152

RECEIVED  
2022 APR 13 PM 1:12  
OFFICE OF THE  
COUNTY CLERK

April 13, 2022

Via email only at [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

Honorable Alice L. Lee, Chair  
and Members of the Council  
County of Maui  
Wailuku, Hawaii 96793

SUBJECT: LITIGATION MATTERS – CASE STATUS (GREAT 11)  
ROBERT TURNER V. WAIHAHIWI GULCH LAND  
COMPANY LLC, ET AL., CIVIL 18-1-0244(1) –  
AUTHORIZING SETTLEMENT OF ROBERT TURNER V.  
WAIHAHIWI GULCH LAND COMPANY, LLC, ETAL., CIVIL  
18-1-0244(1)

Dear Chair Lee and Council Members:

Please find attached separately a proposed resolution entitled  
“AUTHORIZING SETTLEMENT OF ROBERT TURNER V. WAIHAHIWI  
GULCH LAND COMPANY LLC, ET AL., CIVIL 18-1-0244(1)”.

Our department respectfully requests that the proposed resolution  
be scheduled for discussion and action, or referral to the appropriate  
standing committee as soon as possible, but no later than July 1, 2022.  
Also attached herewith is the *Complaint*, filed June 4, 2018, and the *Third-  
Party Complaint*, filed May 5, 2020 in this matter.

This matter was submitted to mediation on March 11, 2022 with the  
Honorable Judge Joel August (Ret.) serving as mediator. Plaintiff has made  
a firm demand of \$380,000.00 to settle his claims, to be paid on or before  
121 days from the date of the mediation, or July 12, 2022. The Mediator  
proposes that liability be apportioned 50/50 between the County of Maui  
and Defendant Waihihiwi Gulch Land Company.

Honorable Alice L. Lee, Chair  
and Members of the Council  
April 13,  
Page -2-

It is anticipated that an executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and/or the Committee.

Should you have any questions or concerns, please do not hesitate to contact us. Thank you for your anticipated assistance in this matter

Sincerely,

A handwritten signature in black ink, appearing to read 'Glen R. Pascual', with a large, stylized loop at the end.

GLEN R. PASCUAL  
Deputy Corporation Counsel

cc: Jordan Molina, Director of Public Works

Attachments

COPY

FILED

JAMES KRUEGER, ESQ.  
2065 Main Street, Suite 102  
Wailuku, Maui, Hawaii 96793  
Tel: 244-7444 (Maui)  
Fax: 244-4177 (Facsimile)

2018 JUN 12 PM 1:28

D. PELLAZAR, CLERK  
SECOND CIRCUIT COURT  
STATE OF HAWAII

Attorney for Plaintiff  
#17-09 JK:ac

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

ROBERT TURNER,	)	CIVIL NO. <u>18-1-0244</u> (1)
	)	(Other Non-Motor Vehicle
Plaintiff,	)	Tort)
	)	
vs.	)	COMPLAINT; EXHIBIT 1;
	)	SUMMONS
WAIAHIWI GULCH LAND COMPANY	)	
LLC, JOHN DOES 1-5, JOHN DOE,	)	
CORPORATIONS 1-5, JOHN DOE	)	
PARTNERSHIPS 1-5, ROE NON-	)	
PROFIT CORPORATIONS 1-5,	)	
And ROE GOVERNMENTAL AGENCIES	)	
1-5,	)	
	)	
Defendants.	)	
	)	

COMPLAINT

1. At all times relevant, plaintiff was a citizen and resident of Hawaii.

2. At all times relevant, defendant WAIAHIWI GULCH LAND COMPANY LLC owned, designed, operated, sold, rented, and/or maintained certain real property, hereinafter referred to as "premises," at or near Pi'iholo Road near the

I hereby certify that this is a full, true and correct copy of the Original

Clerk, Second Circuit Court

property line for Pi'iholo Road and Lots 23 and 34 of Pi'iholo South Subdivision in Makawao, Hawaii 96768.

3. At all times relevant, the premises were under the care, custody, control or supervision of defendants, and/or any of them.

4. Exhibit 1 is a land survey, completed by Akamai Land Surveying Inc., depicting portions of Pi'iholo Road near the property line for Pi'iholo Road and Lots 23 and 34 of Pi'iholo South Subdivision which premises were, on April 30, 2017, under the care, custody and/or control of defendants, and/or any of them.

5. Plaintiff has diligently and in good faith attempted to ascertain names, identities, and possible defendants whose identities are presently unknown to plaintiff. Such attempts include obtaining any applicable reports. Despite the foregoing, the identities of other defendants, whose conduct may have been a legal cause of plaintiff's injuries and damages, remain unknown to plaintiff.

6. Plaintiff alleges, on information and belief, that, directly or indirectly, conduct of the unidentified defendants, presently unknown to plaintiff, was or may have been a legal cause of the occurrence complained of and/or the injury, damage, or loss thereby sustained by plaintiff as a result of which all defendants, unidentified and identified, may be legally, jointly and severally, liable to plaintiff

for plaintiff's injuries and losses sustained, inasmuch as the conduct of each defendant may have coincided and/or concurred with that of each and every other defendant, named or unnamed.

7. This Court has jurisdiction over the parties herein and the subject matter of this proceeding.

8. Venue of this proceeding is properly with this Court.

9. On April 30, 2017, plaintiff reasonably and lawfully operated a motor vehicle on Pi'iholo Road at or near the property line for Pi'iholo Road and Lots 23 and 34 of Pi'iholo South Subdivision.

10. On April 30, 2017, there existed at the premises certain trees which were in an unreasonably hazardous condition, which defendants, and/or any of them, created, caused, allowed to exist, maintained, failed to inspect and/or warn about, and/or failed to eliminate, which condition created an unreasonable risk of harm to patrons in reasonable proximity to the premises, including plaintiff.

11. On April 30, 2017, the area whereat the unreasonably hazardous condition existed was under the care, custody and/or control of defendants, and/or any of them.

12. On April 30, 2017, as a legal result of the foregoing, a tree, under the care and control of defendants,

and/or any of them, fell on an automobile then driven by plaintiff.

13. On April 30, 2017, the area whereat plaintiff suffered injuries was under the care, control and/or custody or defendants, and/or any of them.

14. The conduct of the defendants, and/or any of them, mentioned above was negligent, which negligence was a legal cause of injuries, damages, and losses sustained by plaintiff.

15. As a legal result of the foregoing, plaintiff has suffered, and will continue to suffer, severe and permanent physical injury, as well as mental distress, diminution in earning capacity, diminution of enjoyment of life's activities, expenses incurred for treatment of his injuries, together with other damages as shall be proved at time of trial.

16. No negligence on the part of plaintiff was a legal cause of the subject tree falling onto his vehicle and resulting damages to plaintiff.

17. WHEREFORE, upon a hearing hereof, plaintiff prays that judgment be entered in his favor and against defendants, and/or any of them, jointly and severally, for such damages as to which plaintiff shall be entitled pursuant



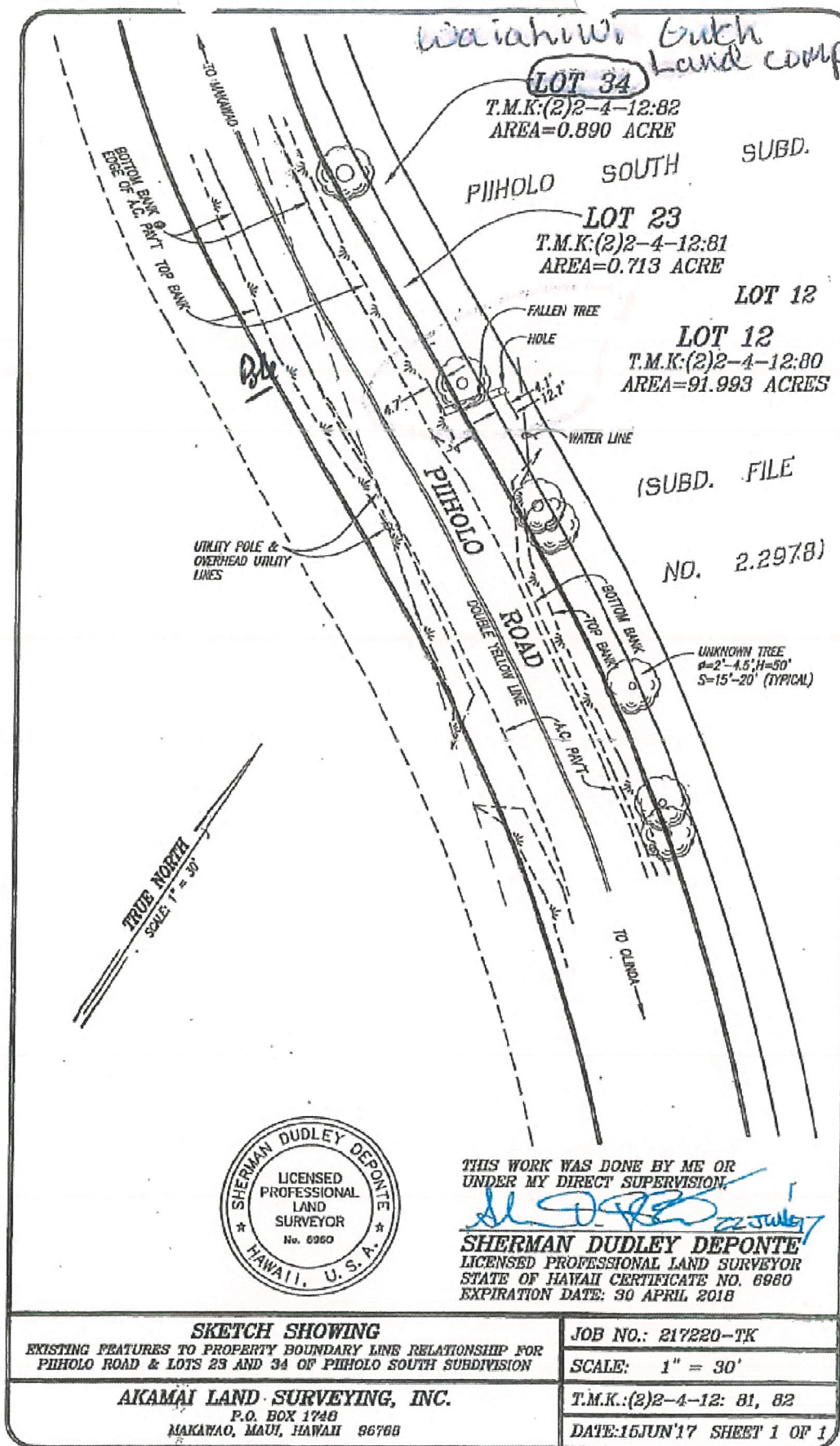
to proof adduced at trial, together with costs of suit, attorney's fees, pre-judgment and post-judgment interest, and such other and further relief as to which plaintiff shall be entitled to pursuant to Rule 54 of the Hawaii Rules of Civil Procedure.

DATED: Wailuku, Maui, Hawaii, JUN 04 2010.

  
\_\_\_\_\_  
JAMES KRUEGER, ESQ.

Attorney for Plaintiff

## **EXHIBIT 1.**



JAMES KRUEGER, ESQ. 492  
2065 Main Street, Suite 102  
Wailuku, Maui, Hawaii 96793  
Tel: 244-7444 (Maui)  
Fax: 244-4177 (Facsimile)

Attorney for Plaintiff  
#17-09 JK:ac

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

ROBERT TURNER,	)	CIVIL NO. _____
	)	(Other Non-Motor Vehicle
Plaintiff,	)	Tort)
	)	
vs.	)	SUMMONS
	)	
WAIIAHIWI GULCH LAND COMPANY	)	
LLC, JOHN DOES 1-5, JOHN DOE,	)	
CORPORATIONS 1-5, JOHN DOE	)	
PARTNERSHIPS 1-5, ROE NON-	)	
PROFIT CORPORATIONS 1-5,	)	
And ROE GOVERNMENTAL AGENCIES	)	
1-5,	)	
	)	
Defendants.	)	
_____	)	

SUMMONS

TO THE DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with the court and serve upon JAMES KRUEGER, ESQ., plaintiff's attorney, whose address is 2065 Main Street, Suite 102, Wailuku, Maui, Hawaii 96793, an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of

service. Failure to obey this summons within the twenty-day time limit will result in an entry of default against you for the relief demanded in this complaint without further notice to you.

Pursuant to Rule 4(b) of the Hawaii Rules of Civil Procedure, this summons shall not be delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a judge of the District or Circuit courts permits, in writing on the summons, personal delivery during those hours.

DATED: Wailuku, Hawaii, JUN - 4 2018.

/sgd/ D. PELLAZAR (seal)

CLERK OF THE ABOVE-ENTITLED COURT

5/7/2020  
3:19pm  
TWK/Hlg

HARRISON & MATSUOKA  
Attorneys at Law

Of Counsel:

GENE K. LAU        3223-0  
1001 Bishop Street, Suite 2828  
Honolulu, Hawaii 96813  
Direct telephone: (808) 376-4864  
Fax: (808) 533-1248

2020 MAY -7 PM 3:36  
RECEIVED  
BOARD OF ETHICS

Electronically Filed  
SECOND CIRCUIT  
2CC181000244  
05-MAY-2020  
05:42 PM

Attorney for Defendant  
WAI-AHIWI GULCH LAND COMPANY LLC

RECEIVED  
CORPORATION COUNSEL  
20 MAY -7 PM 3:36

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT  
STATE OF HAWAII

ROBERT TURNER,  
  
                                Plaintiff,  
  
                                vs.

WAI-AHIWI GULCH LAND COMPANY  
LLC, JOHN DOES 1-5, JOHN DOE  
COPORATIONS 1-5, JOHN DOE  
PARTNERSHIPS 1-5, ROE NON-PROFIT  
CORPORATIONS 1-5, and ROE  
GOVERNMENTAL AGENCIES 1-5,  
  
                                Defendants.

\_\_\_\_\_  
WAI-AHIWI GULCH LAND COMPANY  
LLC,  
  
                                Third-Party Plaintiff,

                                vs.  
  
COUNTY OF MAUI; and DOE  
DEFENDANTS 1-50,

                                Third-Party Defendants.

) Civil No. 18-1-0244(1)  
) (Other Non-Motor Vehicle Tort)  
)  
) DEFENDANT WAI-AHIWI GULCH LAND  
) COMPANY LLC'S **THIRD-PARTY**  
) **COMPLAINT**; DEMAND FOR JURY  
) TRIAL; SUMMONS; CERTIFICATE OF  
) SERVICE

) No Trial Date Set.  
)  
)  
)

**DEFENDANT WAI-AHIWI GULCH LAND  
COMPANY LLC'S THIRD-PARTY COMPLAINT**

Defendant and Third-Party Plaintiff WAI-AHIWI GULCH LAND COMPANY LLC (hereinafter "Third-Party Plaintiff"), by and through its attorney of record, Gene K. Lau, Of Counsel to Harrison & Matsuoka, Attorneys at Law, for a Third-Party Complaint against the COUNTY OF MAUI and DOE DEFENDANTS 1-50 (hereinafter collectively referred to as "Third-Party Defendants") alleges and avers as follows:

**THE PARTIES**

1. Defendant and Third-Party Plaintiff WAI-AHIWI GULCH LAND COMPANY LLC, at all times relevant hereto, is and was a Hawai'i limited liability company operating and existing under the laws of the State of Hawai'i ("Third-Party Plaintiff").

2. Third-Party Defendant COUNTY OF MAUI is a municipality in the State of Hawaii ("County").

3. Third-Party Doe Defendants 1- 50 are sued herein under fictitious names for the reason that their true names and identities are presently unknown to Third-Party Plaintiff, except that they are connected in some manner with the named Third-Party Defendants and are the agents, servants, employees, employers, representatives, co-venturers, associates, vendors, suppliers, manufacturers, subcontractors or contractors of the named Third-Party Defendants and/or were in some manner, presently unknown to Third-Party Plaintiff, engaged in the activities alleged herein and/or were in some manner responsible for the damages sustained by Plaintiff and that their true names, identities, capacities, activities and/or responsibilities are presently unknown to Third-Party Plaintiff or its attorneys. Third-Party Plaintiff herein prays for leave to amend this Third-Party Complaint to allege the true names and/or capacities of the Third-Party Defendants set forth in this paragraph when the same are ascertained.

**BACKGROUND FACTS**

4. On or about June 4, 2018, Plaintiff Robert Turner ("Plaintiff") filed a complaint against Third-Party Plaintiff alleging that on or about April 30, 2017, Third-Party Plaintiff owned, designed, operated, sold, rented, and/or maintained certain real

property at or near Pi'iholo road near the property line for Pi'iholo road and Lots 23 and 34 of Pi'iholo South Subdivision in Makawao, Hawai'i 96768 ("Premises") on which existed certain trees ("Trees"), which were in an unreasonably hazardous condition and for which Third-Party Plaintiff failed to inspect and/or warn about, and/or failed to eliminate, which condition created an unreasonable risk of harm to patrons in reasonable proximity to the Premises. The complaint further alleges that on or about April 30, 2017, Plaintiff was operating a motor vehicle on Pi'iholo road at or near the Premises and that a tree located on the Premises (the "Subject Tree") fell on Plaintiff's vehicle causing him injuries and damages. The complaint alleges that Third-Party Plaintiff was negligent and the legal cause of the injuries, damages and losses sustained by Plaintiff.

#### **COUNT I – NEGLIGENCE**

5. Third-Party Plaintiff realleges and incorporates herein by reference the allegations in paragraphs 1 through 4 of the Third-Party Complaint.

6. Third-Party Defendants own and maintain Pi'iholo road.

7. As part of the maintenance of Pi'iholo road, Third-Party Defendants created a drainage ditch on Third-Party Plaintiff's premises to evacuate water off of Pi'iholo road ('drainage ditch').

8. The drainage ditch that Third-Party Defendants created is near the Subject Tree and compromised the stability of the Subject Tree.

9. Third-Party Defendants cut down trees located near the Subject Tree, which also compromised the stability of the Subject Tree.

10. Third-Party Defendants had or should have had notice that their actions compromised the stability of the Subject Tree and created a hazardous condition.

11. Third-Party Defendants failed to inspect, warn or eliminate the unreasonably hazardous condition they created regarding the Subject Tree.

12. The acts and/or omissions of Third-Party Defendants resulted in the Subject Tree falling and were a proximate cause of the injuries alleged by Plaintiff.

13. Third-Party Defendants are solely responsible for Plaintiff's alleged injuries, damages and losses as alleged in the Complaint.



## **COUNT II – TRESPASS**

14. Third-Party Plaintiff realleges and incorporates herein by reference the allegations in paragraphs 1 through 13 of the Third-Party Complaint.

15. As part of the maintenance of Pi'iholo road, Third-Party Defendants created a drainage ditch on Third-Party Plaintiff's property without having obtained permission to take such actions.

16. Third-Party Defendants maintain the drainage ditch on Third-Party Plaintiff's property with the use of heavy equipment without having obtained permission from Third-Party Plaintiff to perform actions.

17. The actions of Third-Party Defendants constitute trespass.

18. The acts and/or omissions of Third-Party Defendants resulted in the Subject Tree falling and were a proximate cause of the injuries alleged by Plaintiff.

19. Third-Party Defendants are solely responsible for Plaintiff's alleged injuries, damages and losses as alleged in the Complaint.

## **COUNT III – CONTRIBUTION**

20. Third-Party Plaintiff realleges and incorporates herein by reference the allegations in paragraphs 1 through 19 of the Third-Party Complaint.

21. If Plaintiff suffered any damages, injuries or losses in connection with the Complaint, the acts and conduct of Third-Party Defendants, or any one or more of them, in causing or contributing to Plaintiff's claim of damages was primary and active, while the acts and conduct of Third-Party Plaintiff, if any, in causing or contributing to Plaintiff's claim of damages was secondary and passive.

22. If Plaintiff sustained any injuries, losses or damages and if it is determined that Third-Party Plaintiff are liable to Plaintiff for said injuries, losses and damages, Third-Party Defendants are jointly and severally liable with Third-Party Plaintiff to Plaintiff.

23. If Third-Party Plaintiff is found liable to Plaintiff, and if Plaintiff recovers damages from Third-Party Plaintiff, for any amounts paid by Third-Party Plaintiff in excess of the responsibility apportioned to Third-Party Plaintiff, then Third-Party Plaintiff is entitled to contribution from Third-Party Defendants for Third-Party Defendants' proportionate share of any judgment in favor of Plaintiff.

**PRAYER**

Wherefore, Third-Party Plaintiff prays as follows:

- A. Judgment be entered in its favor against Third-Party Defendants individually and/or jointly for expressed, implied or equitable indemnity;
- B. Judgment be entered in its favor and against Third Party Defendants for apportionment and contribution in proportion to their respective faults;
- C. For a judicial determination and declaration that Third-Party Defendants owed and owe a duty to indemnify Third-Party Plaintiff from the Complaint;
- D. Cost of suit incurred in this action;
- E. Reasonable attorneys' fees; and
- F. Such other and further relief as the Court considers just and proper under the law and evidence.

DATED: Honolulu, Hawaii, May 5, 2020.

/s/ Gene K. Lau

GENE K. LAU

Attorney for Defendant

WAI-AHIWI GULCH LAND COMPANY LLC

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT  
STATE OF HAWAII

ROBERT TURNER,	)	Civil No. 18-1-0244(1)
	)	(Other Non-Motor Vehicle Tort)
Plaintiff,	)	
vs.	)	DEMAND FOR JURY TRIAL
	)	
WAI AHIWI GULCH LAND COMPANY	)	
LLC, JOHN DOES 1-5, JOHN DOE	)	
COPORATIONS 1-5, JOHN DOE	)	
PARTNERSHIPS 1-5, ROE NON-PROFIT	)	
CORPORATIONS 1-5, and ROE	)	
GOVERNMENTAL AGENCIES 1-5,	)	
	)	
Defendants.	)	
	)	
<hr/> WAI AHIWI GULCH LAND COMPANY	)	
LLC,	)	
	)	
Third-Party Plaintiff,	)	
	)	
vs.	)	
	)	
COUNTY OF MAUI; and DOE	)	
DEFENDANTS 1-50,	)	
	)	
Third-Party Defendants.	)	
<hr/>	)	

**DEMAND FOR JURY TRIAL**

Defendant and Third-Party Plaintiff WAI AHIWI GULCH LAND COMPANY LLC, by and through its attorney of record, Gene K. Lau, of Counsel to Harrison & Matsuoka, Attorneys At Law, above-named, hereby demands a trial by jury on all issues so triable, pursuant to Rule 38(b) of the *Hawaii Rules of Civil Procedure*.

DATED: Honolulu, Hawaii, May 5, 2020.

/s/ Gene K. Lau  
GENE K. LAU  
Attorney for Defendant  
WAI AHIWI GULCH LAND COMPANY LLC

<b>STATE OF HAWAI'I</b> <b>CIRCUIT COURT OF THE</b> <b>SECOND CIRCUIT</b>	<b>SUMMONS</b> <b>TO ANSWER CIVIL COMPLAINT</b>	
<b>CASE NUMBER</b> Civil No. 18-1-0244(1)	<b>PLAINTIFF'S NAME &amp; ADDRESS, TEL. NO.</b> GENE K. LAU 3223-0 1001 Bishop Street, Suite 2828 Honolulu, Hawaii 96813 Direct telephone: (808) 376-4864 Fax: (808) 533-1248	
<b>PLAINTIFF</b> WAI'AHIIWI GULCH LAND COMPANY LLC,  Third-Party Plaintiff,	Attorney for Defendant/Third-Party Pl. WAI'AHIIWI GULCH LAND COMPANY LLC	
<b>DEFENDANT(S)</b> COUNTY OF MAUI; and DOE DEFENDANTS 1-50,  Third-Party Defendants		

**TO THE ABOVE-NAMED DEFENDANT(S)**

You are hereby summoned and required to filed with the court and serve upon, JAMES KRUEGER, ESQ., Plaintiff's attorney whose address is 2065 Main Street, Suite 102, Wailuku, Maui 96793, and upon GENE K. LAU, Attorney for Defendant/Third-Party Plaintiff WAI'AHIIWI GULCH LAND COMPANY, LLC,

~~Plaintiff's attorney~~ <sup>Third-Party</sup>

~~Plaintiff's attorney~~, whose address is stated above, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

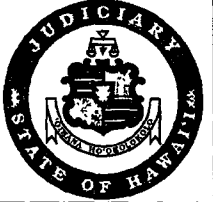
~~Plaintiff's attorney~~ <sup>Third-Party</sup>


**THIS SUMMONS SHALL NOT BE PERSONALLY DELIVERED BETWEEN 10:00 P.M. AND 6:00 A.M. ON PREMISES NOT OPEN TO THE GENERAL PUBLIC, UNLESS A JUDGE OF THE ABOVE-ENTITLED COURT PERMITS, IN WRITING ON THIS SUMMONS, PERSONAL DELIVERY DURING THOSE HOURS.**

**A FAILURE TO OBEY THIS SUMMONS MAY RESULT IN AN ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST THE DISOBEYING PERSON OR PARTY.**

DATE ISSUED May 5, 2020

Effective Date of 07-Oct-2019  
 Signed by: /s/ D. Pellazar Clerk,  
 2nd Circuit, State of Hawai'i





In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the Second Circuit Court Administration Office at PHONE NO. 244-2855, FAX 244-2932.

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT  
STATE OF HAWAII

ROBERT TURNER,	)	Civil No. 18-1-0244(1)
	)	(Other Non-Motor Vehicle Tort)
Plaintiff,	)	
vs.	)	CERTIFICATE OF SERVICE
WAI-AHIWI GULCH LAND COMPANY	)	
LLC, JOHN DOES 1-5, JOHN DOE	)	
CORPORATIONS 1-5, JOHN DOE	)	
PARTNERSHIPS 1-5, ROE NON-PROFIT	)	
CORPORATIONS 1-5, and ROE	)	
GOVERNMENTAL AGENCIES 1-5,	)	
Defendants.	)	
<hr/>		
WAI-AHIWI GULCH LAND COMPANY	)	
LLC,	)	
Third-Party Plaintiff,	)	
vs.	)	
COUNTY OF MAUI; and DOE	)	
DEFENDANTS 1-50,	)	
Third-Party Defendants.	)	

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing will be duly served after filing, electronically through the Judiciary Electronic Filing and Service System (JEFS) and/or by delivery or by mail, postage prepaid, on the following party at his last known address:

JAMES KRUEGER, ESQ.  
2065 Main Street, Suite 102  
Wailuku, Maui, Hawaii 96793

Attorney for Plaintiff

DATED: Honolulu, Hawaii, May 5, 2020.

/s/ Gene K. Lau  
\_\_\_\_\_  
GENE K. LAU  
Attorney for Defendant  
WAI-AHIWI GULCH LAND COMPANY LLC