

JON M. VAN DYKE #1896
2515 Dole Street
Honolulu, Hawaii 96822
Telephone No.: (808) 956-8509

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 19 1996

Attorney for Defendant HSEC Members
in their Official Capacities, and
for Defendants Solomon Kahooalahala,
Analu Berard, Olani Decker, Sherry Evans,
Allen Hoe, Barbara Kalipi, Natalie Kama,
Kinau Kamali'i, Kaipo Kanahale, Sabra Kauka,
Bruss Keppeler, William Meheula, Michael Minn,
Ann Nathaniel, and Ao Pohaku Rodenhurst in
Their Individual Capacities

at 11 o'clock and 30 min. AM
WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

CLARA PILA AKANA LEONG)
KAKALIA, STEPHEN TERUO KUBOTA)
LELA MALINA HUBBARD AND)
BILLIE MARTHA MARY AH UNG)
KAWAIOLA FERNANDEZ BEAMER,)

Plaintiffs,)

vs.)

BENJAMIN CAYETANO, GOVERNOR)
OF THE STATE OF HAWAII,)
SAMUEL CALLEJO, COMPTROLLER)
OF THE STATE OF HAWAII,)
SOLOMON KAHOOHALAHALA,)
DAVIANNA MCGREGOR, ULULANI)
BEIRNE, ANALU BERARD, OLANI)
DECKER, SHERRY EVANS, ALLEN)
HOE, BARBARA KALIPI, NATALIE)
KAMA, KINAU KAMALI'I,)
MAHEALANI KAMAUU, KAIPO)
KANAHELE, KAWAHI KANUI-GILL,)
SABRA KAUKA, BRUSS KEPPELER,)
POKA LAENUI, WILLIAM MEHEULA,)
MICHAEL MINN, ANN NATHANIEL,)
AND AO POHAKU RODENHURST,)
ALL OF WHOM ARE SUED BOTH)
INDIVIDUALLY AND IN THEIR)
OFFICIAL CAPACITIES,)

Defendants.)

CIVIL NO. 96-00616 DAE

AFFIDAVIT OF
JON M. VAN DYKE;
CERTIFICATE OF SERVICE

AFFIDAVIT OF JON M. VAN DYKE

STATE OF HAWAII)
) : SS
CITY AND COUNTY OF HONOLULU)

JON M. VAN DYKE, being first duly sworn under oath,
deposes and says that:

1. I am the attorney for members of the Hawaiian Sovereignty Election Council in their official capacity and for Solomon Kaho'ohalahala, Analu Berard, Olani Decker, Sherry Evans, Allen Hoe, Barbara Kalipi, Natalie Kama, Kinau Kamali'i, Kaipo Kanahale, Sabra Kauka, Bruss Keppeler, William Meheula, Michael Minn, Ann Nathaniel, and Ao Pohaku Rodenhurst in their individual capacities.

2. The two individuals who will come into contact with or learn of the vote count and final tabulation of the ballots in the Native Hawaiian Vote are Russell Mokulehua and Solomon Kaho'ohalahala.


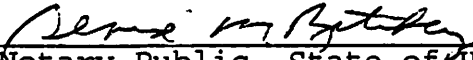
3. They are aware of the Court's Order issued August 16, 1996 and understand that the Court has enjoined them from disclosing the Native Hawaiian Vote results in whole or in part until further order of the Court and agree to be bound by and follow this Court's order.

Further your affiant sayeth naught.



JON M. VAN DYKE

Subscribed and sworn to before me
this 19th day of August, 1996.

Notary Public, State of Hawaii
My commission expires: 05/05/98

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

CLARA PILA AKANA LEONG) CIVIL NO. 96-00616 DAE
KAKALIA, STEPHEN TERUO KUBOTA)
LELA MALINA HUBBARD AND)
BILLIE MARTHA MARY AH UNG)
KAWAIOLOA FERNANDEZ BEAMER,)
)
Plaintiffs,) CERTIFICATE OF SERVICE
)
)
vs.)
)
BENJAMIN CAYETANO, GOVERNOR)
OF THE STATE OF HAWAII,)
SAMUEL CALLEJO, COMPTROLLER)
OF THE STATE OF HAWAII,)
SOLOMON KAHOOHALAHALA,)
DAVIANNA MCGREGOR, ULULANI)
BEIRNE, ANALU BERARD, OLANI)
DECKER, SHERRY EVANS, ALLEN)
HOE, BARBARA KALIPI, NATALIE)
KAMA, KINAU KAMALI'I,)
MAHEALANI KAMAUU, KAIPO)
KANAHELE, KAWEHI KANUI-GILL,)
SABRA KAUKA, BRUSS KEPPELER,)
POKA LAENUI, WILLIAM MEHEULA,)
MICHAEL MINN, ANN NATHANIEL,)
AND AO POHAKU RODENHURST,)
ALL OF WHOM ARE SUED BOTH)
INDIVIDUALLY AND IN THEIR)
OFFICIAL CAPACITIES,)
)
Defendants.)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following parties were duly served with the foregoing document by mail or hand delivery on August 19, 1996:

Margery S. Bronster
Winfred K.T. Pong
Office of The Attorney General
425 Queen Street
Honolulu, Hawaii 96813
Attorneys for Defendants Cayetano and Callejo

Thomas T. Watts
Kemper & Watts
Grosvenor Center, Mauka Tower
737 Bishop Street, Suite 1455
Honolulu, Hawaii 96813
Attorney for Kakalia Plaintiffs

John W. Goemans
David Ross
Seven Waterfront Plaza, Suite 400
500 Ala Moana Boulevard
Honolulu, Hawaii 96813
Attorney for Harold F. Rice

David Bettencourt
Dillingham Transportation Building
735 Bishop Street, Suite 426
Honolulu, Hawaii 96813
Attorney for Mahealani Kamaau
in her individual capacity

Hayden Aluli
737 Bishop Street, Suite 1875
Honolulu, Hawaii 96813
Attorney for Davianna McGregor
in her individual capacity

Poka Laenui (Hayden Burgess)
86-649 Puuhulu Road
Waianae, Hawaii 96792
Representing Himself in
His individual capacity

DATED: Honolulu, Hawaii, August 19, 1996.



JON M. VAN DYKE