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1ST CIRCUIT COURT
STATE OF HAWAII
FILED

1996 JUL 23 PM 1:15

B. CHO
CLERK

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ROWENA AKANA, BILLIE BEAMER,
A. FRENCHY DESOTO, CLAYTON H. W. HEE,
KINA'U BOYD KAMALI'I, MOSES K. KEALE,
SR., and SAMUEL L. KEALOHA, JR.

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CHARLES KA'AI'AI and
KEOKI MAKAKAMA KI'ILI

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

OFFICE OF HAWAIIAN AFFAIRS,	)	CIVIL NO. 94-4207-11
et al.,	)	(Declaratory Judgment)
)	
Plaintiffs,	)	ORDER GRANTING PLAINTIFFS'
	)	REQUEST FOR CONTINUANCE
vs.	)	OF HEARING ON DEFENDANTS'
	)	MOTION FOR PARTIAL SUMMARY
	)	JUDGMENT FILED 12/15/95
HOUSING FINANCING DEVELOPMENT)	

CORPORATION, et al.,)	
)	
Defendants.	)	Heard: January 31, 1996
	)	9:00 a.m.
	)	Judge: DANIEL G. HEELY
)	
	)	No Trial Date Set

ORDER GRANTING PLAINTIFFS' REQUEST FOR CONTINUANCE OF HEARING
ON DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 12/15/95

Defendants' Motion For Partial Summary Judgment filed December 15, 1995 and Plaintiffs' request for a 60 day continuance filed January 29, 1996 came on for hearing before the Honorable DANIEL G. HEELY on January 31, 1996. SHERRY P. BRODER, HAYDEN ALULI, and KAWIKA LIU appeared on behalf of the Plaintiffs; Plaintiff Trustee Moanike'ala Akaka appeared; and CELIA JACOBY and JOHN WONG appeared on behalf of the Defendants. The Court having carefully considered said motion and request for continuance and the records relating thereto, having considered the arguments of counsel, and having reviewed the records and pleadings,

The Court found that the Hawaii Supreme Court and Intermediate Court of Appeals have both ruled that requests for further discovery under Rule 56(f) should be granted if there is a good faith basis, and it does appear to the Court that clearly there is a good faith basis to allow further discovery because of the sound, fundamental and pervasive importance of the issues involved in this case,

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

(1) Plaintiffs' request for a 60 day continuance of the hearing on the motion is granted pursuant to the rulings of the

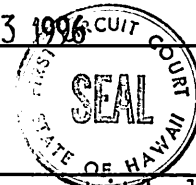
Intermediate Court of Appeal in Marshall v. University of Hawaii, 9 Haw. App. 21 (1991) and Wilder v. Tanouye, 7 Haw. App. 247 (1988), and the hearing on Defendants' Motion For Partial Summary Judgment is scheduled for April 2, 1996 at 10:30 a.m.

2. Defendants shall file a supplemental memorandum of law no later than March 19, 1996;

3. Plaintiffs shall file a supplemental responsive memorandum no later than March 26, 1996.

DATED: Honolulu, Hawaii, JUL 23 1996

DANIEL G. HEELY



Judge of the above-entitled Court

APPROVED AS TO FORM:

MARGERY S. BRONSTER
Attorney General
SONIA FAUST
JOHN WONG
CELIA I. JACOBY
CYNTHIA D. CHARLTON
Deputy Attorneys General

RE: Office of Hawaiian Affairs, et al. vs. Housing Financing Development Corporation, Civil No. 94-4207-11; Order Granting Plaintiffs' Request for Continuance of Hearing on Defendants' Motion For Partial Summary Judgment Filed 12/15/95