

STEPHEN G. GARCIA 3102  
2121 Main Street  
Wailuku, HI 96793  
Telephone: 242-5700

2ND CIRCUIT COURT  
STATE OF HAWAII  
WAILUKU, HAWAII  
FILED

Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

'87 JAN 27 AM 11:3

STATE OF HAWAII

HARRY A. HUEU and SANDRA G.  
HUEU,

Plaintiffs,

v.

ISAAC KANOA, SR. and ISAAC  
KANOA, JR.,

Defendants.

Civil No. 87-0030(1)  
ORDER GRANTING TEMPORARY  
RESTRAINING ORDER

CLERK V. FUJISHI

ORDER GRANTING TEMPORARY RESTRAINING ORDER

The Court having reviewed and considered Plaintiffs' Ex Parte Motion for Temporary Restraining Order and the accompanying Verified Complaint, Affidavit and exhibits, and for good cause shown makes the following findings.

1. Plaintiffs claim an interest in land in Keanae identified by tax key number 01-01-003-41, presently used for taro farming.

2. Plaintiffs have been denied their water rights as secured by ancient Hawaiian custom and use of the auwai system that supplies this area by Defendants' actions of constraining, obstructing and diverting water in the auwai system as it passes through their land.

I hereby certify that this is a full, true and  
correct copy of the Original.  
*[Signature]*  
Clerk, Circuit Court, Second Circuit

3. Plaintiffs have no adequate remedy of law or otherwise for the harm or damage done and continuing to be done by Defendant.

4. Plaintiffs will suffer irreparable harm, damage and injury to his crops and to the arability of the farmland unless the acts and conduct of Defendants Isaac Kanoa, Sr. and Isaac Kanoa, Jr. are enjoined.

5. This Order is granted without notice due to the immediate and impending destruction of Plaintiffs taro crops. Unless this Order is granted before Defendants, or their attorney can be heard in opposition to this Order, immediate and irreparable loss will result to Plaintiffs' property and rights therein.

WHEREFORE, based on the foregoing it is hereby ordered:

1. Defendants herein and specifically Isaac Kanoa, Sr. and Isaac Kanoa, Jr., their attorney, agents, employees, assignees, representatives and/or independent contractors are enjoined from further constraining, blocking and/or diverting water from the auwai system irrigating Plaintiff's taro patches on land identified by tax key number 01-01-003-4`.

2. That this Temporary Restraining Order shall stay in effect until hearing on Plaintiffs' Motion for Preliminary Injunction scheduled to be heard on at FEB 06 1987 at 2:30 p.m. before the Honorable E. John McConnell, or as ordered by the Court.

DATED: Wailuku, Hawaii, JAN 27 1987

/s/ E. John McConnell

JUDGE OF THE ABOVE-ENTITLED COURT

