

FILED

Elizabeth Strance, Esq.
Carol Monahan Jung, Esq.
Jana Naruse, Esq.
Judge's Copy

2017 OCT 16 AM 9:09

HARRY CLERK
CIRCUIT COURT OF
THE THIRD CIRCUIT
STATE OF HAWAII

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

| | | |
|--------------------------------------------------------------------------|---|------------------------------------------------------------------------------------------------------------|
| SOUTH POINT INVESTMENT GROUP, LLC, A HAWAII LIMITED LIABILITY COMPANY, |) | Civil No. 16-1-195 |
| |) | |
| Plaintiff, |) | COURT ORDER REGARDING OCTOBER 13, 2017 RULE 16 CONFERENCE AND SETTING FEBRUARY 23, 2018 RULE 16 CONFERENCE |
| vs. |) | |
| |) | |
| DISCOVERY HARBOUR COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation, |) | Trial Date: Not Set |
| |) | Conference Date: February 23, 2018 |
| |) | Conference Time: 10:00 a.m. |
| Defendants. |) | Judge: Harry P. Freitas |
| |) | |

COURT ORDER REGARDING OCTOBER 13, 2017 RULE 16 CONFERENCE AND SETTING FEBRUARY 23, 2018 RULE 16 CONFERENCE

On October 13, 2017, the court held a Rule 16 conference in chambers. Elizabeth Strance, Esq., Carol Monahan Jung, Esq., and Jana Naruse, Esq. participated by telephone. Based on discussions between the Court and counsels, the following is NOTED and/or ORDERED:

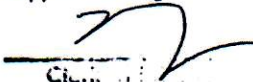
1. Case Status

The parties indicated that discovery is ongoing. The Court set a further Rule 16 conference to monitor the progress of the case.

2. Rule 16 Conference.

Pursuant to Rule 16 of the Hawai'i Rules of Civil Procedure, a pretrial conference has been set in this matter for **February 23, 2018** at **10:00 a.m.** via telephone conference (no cell

I hereby certify that this is a true, correct and complete copy of the original as filed with the court.


CLERK

phones while mobile). All counsel for the parties and/or all pro se parties against whom default has not yet been entered are to participate in the telephone conference. Ms. Strance is to initiate the telephone conference. Persons wishing to participate in the telephone conference shall contact the conference initiator at least 10 days prior to the scheduled conference. The Court's telephone number is (808) 961-7454. No written statement is required. The Court will review the parties progress in terms of settlement and/or the advisability of engaging in ADR, any discovery matters and the appropriateness of setting any pretrial deadlines.

3. Notice.

a. The provisions in Rule 12(c)(2), Rules of the Circuit Courts of Hawai'i as to trial setting procedures is hereby superceded by this order. The Court will normally not set a trial date for a civil matter unless the case is ready for trial, trial is the only reasonable method for resolving the case, or if there are other compelling reasons presented. Any pretrial deadlines set by the court shall be binding on all parties and shall not be extended except for good cause shown upon motion, or by stipulation of all parties with the approval of the court.

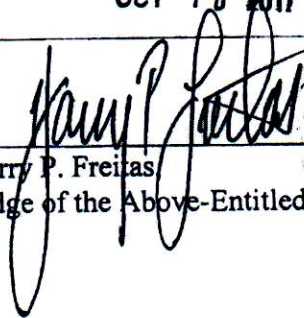
b. Except for the rescheduling of a conference date and time, this Order may be amended only upon a showing of good cause shown upon or by stipulation of all parties with the approval of the court. A violation of any part of this Order is subject to appropriate sanctions including dismissal of this case.

c. Rescheduling of conference date and/or times must be done by the person who desires the change. A substitute date/time available on the court's calendar and agreed to by all parties must be established before any changes are made.

d. Any party who files a document *ex officio* shall immediately fax a file-marked judge's copy to this court at (808) 961-7461, attention documents clerk.

DATED: Hilo, Hawai'i,

OCT 16 2017


Harry P. Freitas
Judge of the Above-Entitled Court

