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FIRST CIRCUIT
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Attorneys for Plaintiff Public First Law Center

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

PUBLIC FIRST LAW CENTER,

Plaintiff,

vs.

DEFENDER COUNCIL; JON N.
IKENAGA; and AGRIBUSINESS
DEVELOPMENT CORPORATION
BOARD OF DIRECTORS,

Defendants.

CIVIL NO. 1CCV-24-0000050 (JJK)
(Other Civil Action)

ORDER (1) GRANTING PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON COUNT XIV, (2)
DENYING DEFENDANT
AGRIBUSINESS DEVELOPMENT
CORPORATION BOARD OF
DIRECTORS' MOTION FOR PARTIAL
SUMMARY JUDGMENT ON COUNT
XIV, AND (3) VACATING TRIAL
DATE

JUDGE: Honorable Jordon J. Kimura

TRIAL DATE: September 22, 2025
[vacated]

HEARING

DATE: August 20, 2025
TIME: 1:00 p.m.

**ORDER (1) GRANTING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY
JUDGMENT ON COUNT XIV, (2) DENYING DEFENDANT AGRIBUSINESS
DEVELOPMENT CORPORATION BOARD OF DIRECTORS' MOTION FOR
PARTIAL SUMMARY JUDGMENT ON COUNT XIV, AND
(3) VACATING TRIAL DATE**

Plaintiff Public First Law Center's (Plaintiff) Motion for Partial Summary Judgment on Count XIV [Dkt. 213] (Plaintiff's motion), and Defendant Agribusiness Development Corporation Board of Directors' (Defendant) Motion for Partial Summary Judgment on Count XIV [Dkt. 218] (Defendant's motion), both filed July 11, 2025, were heard on August 20, 2025, at 1:00 p.m., before the Honorable Jordon J. Kimura, Judge of the above-entitled Court. Benjamin M. Creps appeared for Plaintiff. David N. Matsumiya appeared for Defendant.

After having considered the motions, memoranda, the declarations and exhibits submitted and the authorities cited by both parties, the pleadings and other records in this case, and argument of counsel, it is hereby ORDERED, ADJUDGED, AND DECREED, for the reasons stated by the Court at the hearing on this matter, as follows:

- (1) Plaintiff's motion is GRANTED;
- (2) Defendant's motion is DENIED;
- (3) Section III(B) of the Hawai'i Office of Information Practices Opinion Letter No. F24-03, and its related conclusion, is declared "palpably erroneous"; and
- (4) The final pretrial conference and jury-waived trial dates set in this matter are hereby vacated.

DATED: Honolulu, Hawai'i, August 26, 2025.

/s/ **Jordon J. Kimura**
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

/s/ David N. Matsumiya
AMANDA WESTON
DAVID N. MATSUMIYA
Attorneys for Defendants