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 Attorneys for Defendant COUNTY OF MAUI

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAII

ROBERT ITO FARM, INC.; HAWAII  
 FARM BUREAU FEDERATION, MAUI  
 COUNTY; MOLOKAI CHAMBER OF  
 COMMERCE; MONSANTO COMPANY;  
 AGRIGENETICS, INC.; CONCERNED  
 CITIZENS OF MOLOKAI AND MAUI;  
 FRIENDLY ISLE AUTO PARTS &  
 SUPPLIES, INC.; NEW HORIZON  
 ENTERPRISES, INC. dba MAKOA  
 TRUCKING AND SERVICES; and  
 HIKIOLA COOPERATIVE,

Plaintiffs,

vs.

COUNTY OF MAUI,

Defendant,

and

ALIKA ATAY, LORRIN PANG, MARK  
 SHEEHAN, BONNIE MARSH, LEI`OHU  
 RYDER, AND SHAKA MOVEMENT,

Intervenor-Defendants.

CIVIL NO. 14-00511 SOM-BMK  
 DEFENDANT COUNTY OF MAUI'S  
 STATEMENT OF NO POSITION RE:  
 PLAINTIFFS' MOTION FOR SUMMARY  
 JUDGMENT ON CLAIMS 1, 2, AND  
 4; CERTIFICATE OF SERVICE

Hearing:

Date: March 10, 2015  
 Time: 9: 00 a.m.  
 Judge: Hon. Susan Oki Mollway

**DEFENDANT COUNTY OF MAUI'S STATEMENT OF NO POSITION RE:  
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT ON CLAIMS 1, 2, AND 4**

Defendant County of Maui, by and through its attorneys, Patrick K. Wong, Corporation Counsel, Moana M. Lutey, Caleb P. Rowe, and Kristin K. Tarnstrom, Deputies Corporation Counsel, hereby state that it is taking no position on Plaintiffs' Motion for Summary Judgment on Claims 1, 2, and 4 filed on December 17, 2014.

Dated: Wailuku, Maui, Hawaii, January 30, 2015.

PATRICK K. WONG  
Corporation Counsel  
Attorney for Defendant  
COUNTY OF MAUI

By /s/ Moana M. Lutey  
MOANA M. LUTEY  
CALEB P. ROWE  
KRISTIN K. TARNSROM  
Deputies Corporation Counsel

IN THE UNITED STATES DISTRICT COURT

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ROBERT ITO FARM, INC.; HAWAII  
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CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the  
foregoing document was duly served electronically on January 30,  
2015, upon the following parties through CM/ECF:

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DATED: Wailuku, Maui, Hawaii, January 30, 2015.

PATRICK K. WONG  
Corporation Counsel  
Attorney for Defendant  
COUNTY OF MAUI

By /s/ Moana M. Lutey  
MOANA M. LUTEY  
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