

MARGARET WILLE & ASSOCIATES LLLC

Margaret (Dunham) Wille #8522
Timothy Vandever #11005
P.O. Box 6398
Kamuela, Hawaii 96743
MW Tel: 808-854-6931
TV Tel: 808-388-0660
Office: 808-887-1419
margaret@mwlawhawaii.com
tim@mwlawhawaii.com

Attorneys for Plaintiffs

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

FRIENDS OF SHERWOOD FOREST,
MOANA KEA AMONG, MAUREEN
HARNISCH, ARCHIBALD KAOLULO,
AND MITCH WERTH

Plaintiffs,

vs.

CITY AND COUNTY OF HONOLULU,
DOES 1-10,

Defendants.

Civil Case No.:
(Injunctive Relief)

**PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION; MEMORANDUM IN
SUPPORT OF MOTION;
DECLARATION OF MOANA KEA
AMONG; DECLARATION OF
ARCHIBALD KAOLULO;
DECLARATION OF TIMOTHY
VANDEVEER**

PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION

COME NOW Plaintiffs FRIENDS OF SHERWOOD FOREST, MOANA KEA AMONG, MAUREEN HARNISCH, ARCHIBALD KAOLULO, and MITCH WERTH, by and through their attorneys Timothy Vandever and Margaret Wille of MARGARET WILLE AND ASSOCIATES LLLC, and move this Honorable Court for a temporary restraining order and preliminary injunction against the above-captioned Defendants (“Defendants”), enjoining them temporarily and permanently from:

- (1) Clearing, cutting, poisoning, or otherwise removing and trees, vegetation, or any other natural features in the area known as “Sherwood Forest”; and,
- (2) Excavating, dredging, bulldozing, or otherwise, moving dirt, fill, gravel and other material on the subject project area; and,
- (3) Importing dirt, fill, gravel and other material to the subject project area; and,
- (4) Destroying any and all records and documents relating to the transportation of dirt, fill, gravel and other material to the subject project area, the use of fertilizer, and pesticides, and excavation, trenching, or the removal of trees, that occurred as alleged herein after; and,
- (5) Enjoining any and all construction on the project until State and County governmental agencies can devise an appropriate archaeological mitigation plan, conduct flood hazard studies and flood encroachment surveys, determine the need for a Supplemental Environmental Assessment/Impact Statement and otherwise initiate proceedings to revoke and/or modify the existing permits.

This Motion is based on Haw. Rev. Stat. Chapter 205A, Hawaii Administrative Rules, Title 11, Department of Health Chapter 200, Revised Ordinances of Honolulu, Chapters 21A and 25, Rule 65, Hawaii Rules of Civil Procedure, the Memorandum in Support of the Motion, the Declarations attached hereto, the records and files of the case, and such other and further matters that may arise at the time of the hearing on this Motion.

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DATED: Honolulu, HI 96816, April 27, 2020.

MARGARET WILLE & ASSOCIATES LLLC

/s/ Timothy Vandever
Timothy Vandever
Margaret (Dunham) Wille

Attorneys for Plaintiffs