


**HOUSE OF REPRESENTATIVES
STATE OF HAWAII
THE THIRTY-FIRST LEGISLATURE**

In the matter of the House Investigative)	<input type="checkbox"/>	SUBPOENA
Committee to Investigate Compliance)	<input checked="" type="checkbox"/>	SUBPOENA DUCES TECUM
with Audit Nos. 19-12 and 21-01)	<input checked="" type="checkbox"/>	EXHIBIT "A"
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FROM THE STATE OF HAWAII TO:

The Sergeants-at-Arms of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; the sheriff or the sheriff's deputies; the chief of police of any county or the chief's deputies; any police officer of the State or any county; and any officer authorized by law to serve subpoenas in the State of Hawaii,

YOU ARE COMMANDED to subpoena the individual named below:

Mr. James J. Nakatani, Executive Director of the Agribusiness
Development Corporation, or Other Appropriate Individual in custody of
the books, records, documents, or other evidence requested below
State Office Tower
235 South Beretania Street, Room 205
Honolulu, Hawaii 96813


THE ABOVE-NAMED INDIVIDUAL IS COMMANDED, at the place, date, and time indicated below, **TO:**

- Appear and testify before the above-named Investigative Committee. The above-named individual may designate any other agency representative, upon that representative's consent, to appear and testify on the individual's behalf.
- Produce the documents or things described below.

PLACE: Via e-mail to Chair Della Au Belatti, House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01
repbelatti@capitol.hawaii.gov

DATE: Friday, January 14, 2022

TIME: 2:00 P.M.

DESCRIPTION OF DOCUMENTS TO BE PRODUCED (Attach EXHIBIT A if necessary):

See Exhibit A.

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT
PURSUANT TO THE HAWAII STATE CONSTITUTION; SECTION 21-14, HAWAII
REVISED STATUTES; AND THE RULES OF HOUSE INVESTIGATIVE
COMMITTEE TO INVESTIGATE COMPLIANCE WITH AUDIT NOS. 19-12 AND 21-
01.**

Della A. Belatti

Rep. Della Au Belatti,
Chair, House Investigative Committee to
Investigate Compliance with Audit Nos. 19-12
and 21-01

Date: Jan. 13, 2022

This subpoena is issued in the above-captioned matter under the authority of the Hawaii State Constitution; Section 21-8 of the Hawaii Revised Statutes; House Resolution No. 164 of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021; Rule 55.1 of the Rules of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; and Rule 2.2 of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

NOTICE TO WITNESS

You have been subpoenaed to produce certain books, records, documents, or other evidence to the House Investigative Committee to Investigate Compliance with Audit No. 19-12 and 21-01. The Investigative Committee was established by House Resolution No. 164, Thirty-First Legislature of the State of Hawaii, Regular Session of 2021. The Investigative Committee is authorized to follow up on the Audit of the Department of Land and Natural Resources' Special Land and Development Fund, Report No. 19-12, and Audit of the Agribusiness Development Corporation, Report No. 21-01, and to examine the recommendations made in those audits, for purposes of improving the operations and management of state agencies, their funds, and any other matters.

Together with this subpoena, you are being served with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

I certify that this is a full, true, and correct
copy of the original on file in this office.

K. L. T. [Signature]

Clerk, House of Representatives,
Legislature, State of Hawaii

Date: 1/13/22

EXHIBIT A

DOCUMENTS TO BE PRODUCED

To be produced pursuant to the Rules of the Investigative Committee with the appropriate bates stamp as follows:

1. A copy of the contract, including any amendments, entered into between KMH LLP and the Agribusiness Development Corporation (ADC) related to assisting ADC in the financial audit conducted pursuant to Act 28, Session Laws of Hawaii 2019;
2. Written communications evidencing when ADC turned over documents to Accuity from January 2021 to present;
3. A copy of KMH LLP's latest draft Management Discussion and Analysis to ADC and any communications with KMH LLP and/or Accuity regarding the Management Discussion and Analysis;
4. A copy of any license, lease, revocable permit, or other agreement with Hanahanapuni Farm, including any amendments; and
5. Written communications with Hanahanapuni Farm between the time the audit was started in June 2019 through January 10, 2022.

RETURN OF SERVICE

I, Tamah-Lani S. K. Noh, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FOLLOWING IS TRUE AND CORRECT:

I served the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01's Subpoena, along with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01 to:

Mr. James J. Nakatani, Executive Director of the Agribusiness Development Corporation
State Office Tower
235 South Beretania Street, Room 205
Honolulu, Hawaii 96813

On another individual (explain): in custody of the books, records, documents, or other evidence

by delivering the copies personally and/or via electronic mail as consented to by Mr. James J. Nakatani on January 13, 2022 at 11:25 A.M.

Signature of Process Server: Tamah-Lani S. K. Noh

Print Name, Address, and Telephone Number of Process Server:
Tamah-Lani S. K. Noh
415 S. Beretania St
Honolulu, HI 96813
808-580-6500

ACKNOWLEDGMENT OF SERVICE

Signature of Person served: [Signature]

Print Name: JAMES J. NAKATANI