

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

In the matter of the House Investigative	)	[ ]	SUBPOENA
Committee to Investigate Compliance with	)	[ X ]	SUBPOENA DUCES TECUM
Audit Nos. 19-12 and 21-01	)	[ X ]	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:

Suzanne D. Case, Chairperson of the Board of Land and Natural Resources, or  
Other Appropriate Individual in custody of the books, records, documents, or  
other evidence requested below  
Kalanimoku Building  
1115 Punchbowl Street  
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.
- [ X ] 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, October 15, 2021

TIME: 4:30 P.M.

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

See Exhibit A.

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**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 Au Belatti*

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

Date: 9/29/2021

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.

*The Clerk*

Clerk, House of Representatives,  
Legislature, State of Hawaii

Date: 9/29/21

EXHIBIT A

DOCUMENTS TO BE PRODUCED

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

1. All documentation on engagements conference with the Office of the Auditor, including emails between staff members of the Department of Land and Natural Resources and the Office of the Auditor;
2. Submittals to the Board of Land and Natural Resources pertaining to infrastructure related to the Sand Island Business Association Master Lease, including infrastructure dedication;
3. Any memos, including staff memos to Land Division management, concerning the issue of leasing and the different approaches to leasing that were submitted to the Board of Land and Natural Resources, including any and all memos submitted by former Administrator Keith Chun;
4. A summary identifying the contracts that the Auditor could have audited, including but not limited to the appraisal contracts and planning contracts for Kanoelehua and East Kapolei;
5. The contract to develop the Strategic Master Plan that the Department of Land and Natural Resources is currently working on and that was discussed at its hearings;
6. Any statutory proposals, including those in draft form, to assist the Department of Land and Natural Resources, including with leasing its properties, that have been developed in response to the findings and recommendations of Audit 19-12;
7. Name of the consultant hired by the Department of Land and Natural Resources and the contract executed with that consultant to "clean up" the accounting records so the Office of the Auditor would be able to complete their work identified on page 36 of Audit Report 19-12; and
8. Copy of the completed April 2019 audit of DLNR's financial statements by N&K CPAs cited to on page 36 of Audit Report No. 19-12.

RETURN OF SERVICE

I, Rod Tanonaka, 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:

Suzanne D. Case, Chairperson of the Board of Land and Natural Resources  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

On another individual (explain): At Chae Conners

by delivering the copies personally on September 29, 2021 at 11:50 A. M.

Signature of Process Server: [Signature]

Print Name, Address, and Telephone Number of Process Server:  
Rod Tanonaka  
415 S. Beretania St  
Honolulu, HI 96813  
808-586-6500

ACKNOWLEDGMENT OF SERVICE

Signature of Person served: Mark M. Nomura 9/29/21

Print Name: Mark M. Nomura

for State of Hawaii only