

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAII

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FIFTH CIRCUIT
5CCV-24-000021
11-MAR-2024
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FRIENDS OF MĀHĀ'ULEPŪ, a nonprofit)	Civil No. 5CCV-24-000021
corporation, and SAVE KŌLOA, a nonprofit)	
corporation,)	TEN DAY STAY
)	
Plaintiffs,)	
)	
vs.)	
)	
5425 PAU A LAKA, LLC, a Hawai'i limited liabil-)	
ity company, MP ELKO II, LLC, a Nevada limited)	
liability company, MP FINANCIAL GROUP)	
LTD. dba Meridian Pacific, a Nevada profit corpo-)	
ration, MP ELK GROVE LLC, a California lim-)	
ited liability company, KAUAI HALE, INC., a)	
Delaware profit corporation; DEPARTMENT OF)	
PUBLIC WORKS, COUNTY OF KAUAI,)	
)	
Defendants.)	
)	

TEN DAY STAY

The Court, having reviewed the EX PARTE MOTION FOR A TEMPORARY TEN DAY STAY, DECLARATION OF COUNSEL and the records and files in this case and pursuant to Rules 57 and 65(B) of the Hawai'i Rules of Civil Procedure, grants Plaintiffs' EX PARTE MOTION FOR A TEMPORARY TEN DAY STAY, and the hearing on Plaintiffs' MOTION FOR PRELIMINARY INJUNCTION will be heard at the same time.

IT IS HEREBY ORDERED that for a period of ten days, beginning with the day and time upon which this order is entered, 5425 PAU A LAKA, LLC, a Hawai'i limited liability company, MP ELKO II, LLC, a Nevada limited liability company, MP FINANCIAL GROUP LTD. dba Meridian Pacific, a Nevada profit corporation, MP ELK GROVE LLC, a California limited liability company, KAUAI HALE, INC., a Delaware profit corporation; DEPARTMENT OF PUBLIC WORKS, COUNTY OF KAUAI, and their agents, employees, and all persons acting


under, in concert with, or for them to refrain from any further ground disturbing activities for the development of the Kauanoe o Kōloa, a 280-unit luxury vacation condominium project on approximately 27.8 acres designated by Tax Map Key Nos. (4) 2-8-014-032:0001-0019 (the “project”), until compliance with HRS chapter 6E has been achieved upon hearing or further order of the Court.

The reasons for the issuance of this Temporary Ten Day Stay are as follows:

1. There is a likelihood that Plaintiffs will prevail on one or more of their claims.
2. Plaintiffs will suffer irreparable injury if a stay is not granted, and the status quo will allow the Court some time to consider Plaintiffs' motions for preliminary injunctive relief.
3. Because it appears there is no irreparable harm to staying all earth moving activities of Defendant as related to the project for a period of ten days.
4. The public interest will be served by the entry of this stay order.

This matter shall be set for hearing on Thursday, March 28, 2024 at 1:00 p.m or as soon as the parties may be heard.

DATED: Līhu‘e, Kaua‘i, Hawai‘i

3-11-24


JUDGE OF THE ABOVE-ENTITLED COURT

FRIENDS OF MĀHĀ‘ULEPŪ, a nonprofit corporation, et al., vs. 5425 PAU A LAKA, LLC, a Hawai‘i limited liability company, et al. Civil No. 5CCV-24-0000021