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**Electronically Filed  
Intermediate Court of Appeals  
CAAP-19-0000449  
20-JUN-2019  
03:36 PM**

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

KEEP THE NORTH SHORE COUNTRY,	)	Civil No. 18-1-0960-06 JPC
	)	(Agency Appeal)
Appellant,	)	
vs.	)	NOTICE OF APPEAL; EXHIBIT A;
	)	CERTIFICATE OF SERVICE
BOARD OF LAND AND NATURAL	)	
RESOURCES, the DEPARTMENT OF LAND	)	Judge: Hon. Jeffrey P. Crabtree
AND NATURAL RESOURCES, SUZANNE	)	
D. CASE, in her official capacity as Chairperson	)	
of the Board of Land and Natural Resources,	)	
and NA PUA MAKANI POWER PARTNERS,	)	
LLC,	)	
	)	
Appellees.	)	

NOTICE OF APPEAL

Notice is hereby given that Appellant KEEP THE NORTH SHORE COUNTRY pursuant to Haw. Rev. Stat. 641-1, and Rules 3 and 4 of the Hawai'i Rules of Appellate Procedure, appeals to the Intermediate Court of Appeals from the Final Judgment filed May 23, 2019, a copy of which is attached as Exhibit A as well as all interlocutory orders therein.

DATED: Honolulu, Hawai'i

June 20, 2019

/s/ Lance David Collins

\_\_\_\_\_  
LAW OFFICE OF LANCE D COLLINS  
LANCE D. COLLINS  
Attorney for Appellant

# **EXHIBIT A**

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2019 MAY 23 AM 10:14

J. KUBO  
CLERK

CARLSMITH BALL LLP

JOHN P. MANAUT 3989  
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Attorneys for Appellee  
NA PUA MAKANI POWER PARTNERS, LLC

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

KEEP THE NORTH SHORE COUNTRY,

Appellant,

vs.

BOARD OF LAND AND NATURAL  
RESOURCES, the DEPARTMENT OF LAND  
AND NATURAL RESOURCES, SUZANNE  
D. CASE, in her official capacity as  
Chairperson of the Board of Land and Natural  
Resources and NA PUA MAKANI POWER  
PARTNERS, LLC,

Appellees.

CIVIL NO. 18-1-0960-06 JPC  
(AGENCY APPEAL)

**FINAL JUDGMENT**

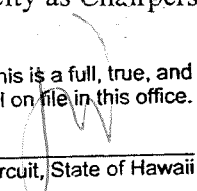
JUDGE: HON. JEFFREY P. CRABTREE

**FINAL JUDGMENT**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, in accordance with Rule 58 of the Hawai'i Rules of Civil Procedure, and pursuant to the ORDER AFFIRMING BLNR'S DECISION dated April 10, 2019, and that certain FINAL ORDER AFFIRMING ORDER AFFIRMING BLNR'S DECISION ENTERED APRIL 10, 2019, that FINAL JUDGMENT is hereby entered in favor of Appellees Board of Land and Natural Resources, the Department of Land and Natural Resources, Suzanne D. Case, in her official capacity as Chairperson of the

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

4812-0445-5831.1.068719-00002

  
Clerk, First Circuit, State of Hawaii

Board of Land and Natural Resources, and Na Pua Makani Power Partners, LLC, and against Appellant Keep the North Shore Country on all claims, causes of action and the appeal in this action. There are no claims or issues remaining for adjudication against any parties in this action, and therefore this Judgment in favor of Appellees is a final judgment under *Jenkins v. Cades Schutte Fleming & Wright*, 76 Hawai'i 115, 869 P.2d 1334 (1994).

DATED: Honolulu, Hawai'i, \_\_\_\_\_, 2019.


---

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

---

MAXX E. PHILLIPS, ESQ.  
Attorney for Appellant  
KEEP THE NORTH SHORE COUNTRY

  
WILLIAM J. WYNHOFF, ESQ.  
CINDY Y. YOUNG, ESQ.  
Attorneys for Appellees  
BOARD OF LAND AND NATURAL  
RESOURCES, the DEPARTMENT OF  
LAND AND NATURAL  
RESOURCES, SUZANNE D. CASE,  
in her official capacity as Chairperson  
of the Board of Land and Natural  
Resources

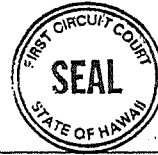
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*Keep the North Shore Country v. Board of Land and Natural Resources, et al.*, Civ. No. 18-1-0960-06  
JPC (Agency Appeal); **FINAL JUDGMENT**

Board of Land and Natural Resources, and Na Pua Makani Power Partners, LLC, and against Appellant Keep the North Shore Country on all claims, causes of action and the appeal in this action. There are no claims or issues remaining for adjudication against any parties in this action, and therefore this Judgment in favor of Appellees is a final judgment under *Jenkins v. Cades Schutte Fleming & Wright*, 76 Hawai'i 115, 869 P.2d 1334 (1994).

DATED: Honolulu, Hawai'i,           MAY 22 2019          , 2019.

JAMES S. KAWASHIMA



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JUDGE OF THE ABOVE-ENTITLED COURT

*for* **JEFFREY P. CRABTREE**

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Maxx E. Phillips", written over a horizontal line.

MAXX E. PHILLIPS, ESQ.  
Attorney for Appellant  
KEEP THE NORTH SHORE COUNTRY

---

WILLIAM J. WYNHOFF, ESQ.  
CINDY Y. YOUNG, ESQ.  
Attorneys for Appellees  
BOARD OF LAND AND NATURAL  
RESOURCES, the DEPARTMENT OF  
LAND AND NATURAL  
RESOURCES, SUZANNE D. CASE,  
in her official capacity as Chairperson  
of the Board of Land and Natural  
Resources

---

*Keep the North Shore Country v. Board of Land and Natural Resources, et al.*, Civ. No. 18-1-0960-06  
JPC (Agency Appeal); **FINAL JUDGMENT**

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

KEEP THE NORTH SHORE COUNTRY,	)	Civil No. 18-1-0960-06 JPC
	)	(Agency Appeal)
Appellant,	)	
vs.	)	CERTIFICATE OF SERVICE
	)	
BOARD OF LAND AND NATURAL	)	
RESOURCES, the DEPARTMENT OF LAND	)	
AND NATURAL RESOURCES, SUZANNE	)	
D. CASE, in her official capacity as Chairperson	)	
of the Board of Land and Natural Resources,	)	
and NA PUA MAKANI POWER PARTNERS,	)	
LLC,	)	
	)	
Appellees.	)	

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT a true and correct copy of the foregoing document was duly served upon the following parties by JEFS protocol or U.S. Mail, postage pre-paid, on the date indicated below:

CLARE CONNORS  
Attorney General of Hawai'i

CARLSMITH BALL LLP

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CINDY Y. YOUNG  
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Attorneys for State Appellees

Attorneys for Appellee Na Pua Makani  
Power Partners LLC

DATED: Honolulu, Hawai'i

June 20, 2019

/s/ Lance David Collins

\_\_\_\_\_  
LAW OFFICE OF LANCE D COLLINS  
LANCE D. COLLINS  
Attorney for Appellant