

**Electronically Filed
Supreme Court
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SCAP-17-0000816

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

IN THE MATTER OF THE TAX APPEAL OF KAHEAWA WIND POWER, LLC,
Taxpayer-Appellant-Appellee,

vs.

COUNTY OF MAUI,
Appellee-Appellant.

IN THE MATTER OF THE TAX APPEAL OF AUWAHI WIND ENERGY LLC,
Taxpayer-Appellant-Appellee,

vs.

COUNTY OF MAUI,
Appellee-Appellant.

APPEAL FROM THE TAX APPEAL COURT
(CAAP-17-0000816 AND CONSOLIDATED CASES: CAAP-17-0000817,
CAAP-17-0000818, CAAP-17-0000819, and CAAP-17-0000820;
T.X. NO. 14-1-0266 AND CONSOLIDATED CASE T.X. NO. 16-1-0272,
T.X. NO. 14-1-0267 AND CONSOLIDATED CASE T.X. NO. 16-1-0273,
AND T.X. NOS. 16-1-0272, 15-1-0238, and 16-1-0328)

ORDER GRANTING MOTION OF TAX FOUNDATION OF HAWAI‘I FOR
LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF APPELLEES

(By: Recktenwald, C.J.)

Upon consideration of Movant Tax Foundation of Hawaii's
motion for leave to file an amicus curiae brief in support of

appellees filed on October 23, 2018, the documents submitted in support thereof, appellant County of Maui's statement filed on October 23, 2018, and taxpayer-appellant Auwahi Wind Energy LLC's statement of no opposition filed on October 24, 2018, and the record herein,

IT IS HEREBY ORDERED that the motion is granted as follows:

1. Within three (3) days from the date of this order, Movant may file an amicus brief in substantially the same form as the brief attached to the motion; and

2. Within seven (7) days from the filing of the amicus brief, any party to this proceeding may file a response to the amicus brief not to exceed ten (10) pages in length.

DATED: Honolulu, Hawai'i, November 19, 2018.

/s/ Mark E. Recktenwald
Chief Justice

