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Supreme Court  
SCPW-18-0000733  
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SCPW NO. 18-0000733

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CITY AND COUNTY OF HONOLULU,  
COUNTY OF HAWAI'I, COUNTY OF  
MAUI, COUNTY OF KAUA'I,

Petitioners,

vs.

STATE OF HAWAI'I; SCOTT NAGO, in  
his capacity as Chief Election Officer;  
RONALD D. KOUCHI, in his capacity as  
President of the Hawai'i Senate; SCOTT K.  
SAIKI, in his capacity as Speaker of the  
Hawai'i House,

Respondents.

ORIGINAL PROCEEDINGS

**STATE RESPONDENTS' EX PARTE MOTION TO DEEM STATE RESPONDENTS'  
ANSWER TO PETITIONER COUNTIES' PETITION FOR WRIT AS TIMELY FILED**

**DECLARATION OF VALRI LEI KUNIMOTO  
EXHIBITS A - D**

**CERTIFICATE OF SERVICE**

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SENATE PRESIDENT RONALD D. KOUCHI; HOUSE SPEAKER SCOTT K. SAIKI

**STATE RESPONDENTS' EX PARTE  
MOTION TO DEEM STATE RESPONDENTS' ANSWER TO  
PETITIONER COUNTIES' PETITION FOR WRIT AS TIMELY FILED**

Respondents STATE OF HAWAI‘I, SCOTT NAGO, RONALD D. KOUCHI and SCOTT K. SAIKI (collectively “State Respondents”), by and through their attorneys Russell A. Suzuki, Attorney General of Hawai‘i, and Patricia Ohara and Valri Lei Kunimoto, Deputy Attorneys General, hereby move for an order permitting State Respondents' Answer to Petitioner Counties' Petition for Extraordinary Writ Seeking Pre-Election Relief, Filed on September 26, 2018, which was filed on October 11, 2018, shortly after 4:30 p.m., to be deemed timely filed and served. State Respondents respectfully request that the Court find: (1) no prejudice to the Petitioners, and (2) conclude that the filing of their answer to the writ shortly after the time that the answer was due, is excusable, and grant the instant motion.

This motion is made pursuant to Haw. R. App. Proc. 26(e) and 27, and is supported by the Declaration of Valri Lei Kunimoto that is attached.

DATED: Honolulu, Hawai‘i, October 12, 2018.

RUSSELL A. SUZUKI  
Attorney General

/s/Valri Lei Kunimoto  
PATRICIA OHARA  
VALRI LEI KUNIMOTO  
Deputy Attorneys General

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STATE OF HAWAI‘I; CHIEF ELECTION  
OFFICER SCOTT NAGO; SENATE  
PRESIDENT RONALD D. KOUCHI;  
HOUSE SPEAKER SCOTT K. SAIKI