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Subject: Clean Water Act Court Hearing 9-12
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Aloha All,

Exciting news. As many of you know, FOM filed a Federal Lawsuit June 1, 2015. That action has been progressing and we have received several favorable rulings from judge Leslie T. Kobayashi. Many of you may remember that she issued a 10 page order in Feb 2016 that allowed us site access to inspect the proposed dairy while conducting water quality and soil analysis. Based on the hydrological evaluation and test results, FOM attorneys, and the experts they consulted with, concluded there was clear evidence that HDF is and has been violating the Clean Water Act as they grubbed and dug on over 480 acres of the proposed industrial dairy site. On July 1, 2016, FOM asked that the Court enter a partial Summary Judgement on the pollution violations. If the Court determines that there has been a breach of the Clean Water Act, HDF and Ulupono and the other named defendants can be fined up to \$37,500/day. The link that follows will allow you to access the Partial Summary Judgement and it's supporting pleadings.

FOM Partial Summary Judgement filings

<https://drive.google.com/open?id=0ByUDqiRQAAT6QUF5TIVtakIDWUFU>

We are excited about the hearing as the evidence is strong. We are inviting all members of the hui, who are able, to attend the oral argument before Judge Kobayashi on Sept. 12 at 10 am in the Federal District Court on Oahu. I will send the address for the hearing in my next hui letter. One of our hui members found a flight on Island Air for \$118 for a round trip ticket that arrives on Oahu at 8 am, 9/12/16. By returning home the same day, Island air reduced the fair and for those of us 65 or older, there is an additional discount that resulted in the total cost of \$118. Please contact me if you have any questions. The more the merrier, let's fill the courtroom and let Judge Kobayashi know how important this issue is for all of us.

For those of you interested in the Comments of other FOM members, the following link contains many Comments from the public forwarded to FOM. We still have more to load so check the link weekly. If any hasn't shared their Comment and would like it added, please forward it to us and we will add it.

Google Drive Link to HDF DEIS Comments from the public

<https://drive.google.com/folderview?id=0ByUDqiRQAAT6MUZDMmkwSGpHOOU&usp=sharing>

Recent TGI article on the probable impact to our beautiful corals:

Dairy has potential to create marine catastrophe - *Michael Coon*

http://thegardenisland.com/news/opinion/mailbag/letters-for-aug/article_a556a4e2-674b-11e6-9eac-3fd90badddb4.html

The likely impact to our corals and marine life of Maha`ulepu Beach and the South Shore and the total failure of HDF to address that issue in their DEIS was the covered by many in their Comments.

Our expenses responding to the Draft EIS were significant. Our court costs are ongoing and critical to stop the madness of an industrial dairy at Maha`ulepu. Our Band account is at an all time low. Many have been generous in the past. Please donate again. We don't want to lose the fight for lack of funding. Share this email with family and friends and invite them to read the impressive response filed by our attorneys to HDF's Draft EIS:

<https://drive.google.com/open?id=0ByUDqiRQAAT6S2RoMFU0TGFVa0k>

Mahalo,

Bridget Hammerquist, on behalf of

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