

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII**

HONOLULUTRAFFIC.COM; CLIFF SLATER; BENJAMIN CAYETANO; WALTER HEEN; HAWAII'S THOUSAND FRIENDS; THE SMALL BUSINESS HAWAII ENTREPRENEURIAL EDUCATION FOUNDATION; RANDALL W. ROTH; and DR. MICHAEL UECHI,

Plaintiffs,

vs.

FEDERAL TRANSIT ADMINISTRATION; LESLIE ROGERS, in his official capacity as Federal Transit Administration Regional Administrator; PETER M. ROGOFF, in his official capacity as Federal Transit Administration Administrator; UNITED STATES DEPARTMENT OF TRANSPORTATION; RAY LaHOOD, in his official capacity as Secretary of Transportation; THE CITY AND COUNTY OF HONOLULU; and WAYNE YOSHIOKA, in his official capacity as Director of the City and County of Honolulu Department of Transportation,

Defendants.

Civ. No. 11-00307 AWT
STATUS CONFERENCE ORDER

1 Pursuant to the Status Conference held on March 27, 2012, at the Ninth Circuit
2 Courthouse, Pasadena, California,

3 **IT IS ORDERED:**

4 1. Plaintiffs' motion for leave to file first amended complaint is submitted for
5 decision.

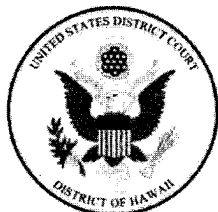
6 2. The motion of Faith Action for Community Equity, Hawaii Carpenters
7 Market Recovery Program, dba Pacific Resource Partnership, and Melvin Uesato to
8 intervene as defendants is submitted for decision.

9 3. Defendants' (a) motion for partial summary judgment re plaintiffs'
10 standing, and (b) motion for partial summary judgment re waiver are set for hearing on
11 April 18, 2012, at 10:00 a.m., at the PJKK Courthouse, Honolulu, Hawaii.

12 4. The parties agree that this case is suitable for resolution on cross-motions
13 for summary judgment. To that end, the parties have agreed on a briefing and hearing
14 schedule for these cross-motions, which has been incorporated into the court's earlier
15 Rule 16 Scheduling Order. Pursuant to the parties' agreement, the court now sets the
16 contemplated cross-motions for summary judgment for hearing on August 21, 2012, at
17 10:00 a.m., at the PJKK Courthouse, Honolulu, Hawaii.

18 5. Finally, with respect to the only concrete dispute now pending regarding the
19 Administrative Record, the court notes the government's representation that it expects to
20 file and serve its Privilege Log on or before April 6, 2012.

21 DATED this 27th day of March, 2012.



A. Wallace Tashima
United States Circuit Judge
Sitting by Designation