

# HONOLULUTRAFFIC.COM

A COMMUNITY WIDE EFFORT TO KEEP ELEVATED RAIL OUT OF OUR CITY

**Media Advisory:** Response filed yesterday in federal court to the FTA's Motion filed 9/9/11.

**Date:** September 27, 2011.

**Contacts:**

Randy Roth (808) 561-1631 [rroth@hawaii.edu](mailto:rroth@hawaii.edu)  
Ben Cayetano (808) 295-4266 [bjcayetano@aol.com](mailto:bjcayetano@aol.com)  
Walter Heen (808) 223-2980 [wheen@hawaii.rr.com](mailto:wheen@hawaii.rr.com)  
Cliff Slater (808) 285-7799 [cliffslater@hawaii.rr.com](mailto:cliffslater@hawaii.rr.com)

We and the other Plaintiffs in the rail lawsuit have just responded to the Defendants' Request for Judgment on the Pleadings and Request for Judicial Notice. See attached pdf files.

In these Responses, we and the other Plaintiffs address clearly and directly the Defendants' allegations that some of the Plaintiffs did not participate in the administrative processes of the City and FTA. Our response sets out ways in which various Plaintiffs participated, including, for example, eight rounds of comments from HonoluluTraffic.com and additional comments from its members.

In our Responses, we point out that the Defendants' motion has nothing to do with the merits of the case. In fact, it represents an exceptionally weak attempt by the Defendants to avoid a resolution on the merits. We take the Defendants' decision not to engage on substantive issues as a sign that they are aware of the weakness of their legal position.

All it takes for the lawsuit to continue is the participation of at least one Plaintiff with standing to sue. The Defendants' effort to remove some of the Plaintiffs from this case is a waste of the court's time and the taxpayers' money.

We continue to view the Defendants' motion as frivolous.

For more information contact any of the following:

Ben Cayetano (373-8800 or 295-4266); **Error! Hyperlink reference not valid.**  
Walter Heen (373-4258 or 223-2980); **Error! Hyperlink reference not valid.**  
Cliff Slater (524-5619 or 285-7799); **Error! Hyperlink reference not valid.**  
Randy Roth (561-1631 or 735-1631); **Error! Hyperlink reference not valid.**

The FTA Motion and our Response may both be found at:  
<http://www.honolulutraffic.com/LegalProcessDocs.htm> and our Response is also attached to this email for your convenience.