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COUNTY OF HAWAI'I

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THIRD CIRCUIT
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IN THE CIRCUIT COURT OF THE THIRD CIRCUIT
STATE OF HAWAI'I

DAISY MITCHELL;
REBECCA MELENDEZ,

Petitioners,

vs.

KAMEHAMEHA SCHOOLS (BISHOP
ESTATE); HAWAI'I COUNTY PLANNING;
JEFF DARROW, IN HIS OFFICIAL
CAPACITY AS DIRECTOR; MARISSA
HARMAN, IN HER PROFESSIONAL &
OFFICIAL CAPACITY; G70; KAWIKA
MCKEAGUE, IN HIS OFFICIAL CAPACITY;
JANE DOES 1-20;
DOE CORPORATIONS 1-20;
DOE ENTITIES 1-20; AND DOE
GOVERNMENTAL UNITS 1-20;

Respondents.

Civil No. 3CCV-25-0000438

**DEFENDANT COUNTY OF HAWAI'I'S
STATEMENT OF NO POSITION
REGARDING *MOTION TO DISMISS*
DAISY MITCHELL AS A PETITIONER
WITHOUT PREJUDICE DUE TO HEALTH
CONCERNS, FILED ON JULY 27, 2026
[DKT 122]; CERTIFICATE OF SERVICE**

**DEFENDANT COUNTY OF HAWAI‘I’S STATEMENT OF NO POSITION
REGARDING *MOTION TO DISMISS DAISY MITCHELL AS A PETITIONER WITHOUT
PREJUDICE DUE TO HEALTH CONCERNS*, FILED ON JULY 27, 2026 [DKT 122]**

Defendant County of Hawai‘i ("County"), by and through its undersigned counsel, hereby submits this Statement of No Position regarding *Motion to Dismiss Daisy Mitchell as a Petitioner Without Prejudice Due to Health Concerns*, filed July 27, 2026 [Dkt. 122]. The County takes no position on the relief requested in the Motion and respectfully submits the matter to the Court for determination.

Dated: Hilo, Hawai‘i, July 29, 2026.

By: /s/ Sherilyn K. Tavares
SHERIYLN K. TAVARES
Deputy Corporation Counsel
Attorney for Defendant
COUNTY OF HAWAI‘I

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT
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DAISY MITCHELL;
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DOE CORPORATIONS 1-20;
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GOVERNMENTAL UNITS 1-20;

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Civil No. 3CCV-25-0000438

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served on the parties listed below at their respective addresses via JEFs and/or USPS, postage prepaid on July 29, 2026.

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TRUSTEES OF THE ESTATE OF BERNICE PAUAAHI BISHOP DBA
KAMEHAMEHA SCHOOLS and
MARISSA HARMAN

Dated: Hilo, Hawai'i, July 29, 2026.

COUNTY OF HAWAII, Defendant

By: /s/ Sherilyn K. Tavares
SHERILYN K. TAVARES
Deputy Corporation Counsel
Its Attorney