

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

DAISY MITCHELL; REBECCA MELENDEZ,

Petitioners,

vs.

KAMEHAMEHA SCHOOLS (BISHOP ESTATE); HAWAII  
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

(Declaratory Judgment)

PETITIONERS' SUPPLEMENTAL NOTICE OF SERVICE AND  
SUPPLEMENTAL RESPONSE TO RESPONDENTS KAMEHAMEHA  
SCHOOLS AND MARISSA HARMAN'S JOINDER [DKT. 65]

Hearing Date: June 15, 2026

Time: 2:00 p.m.

Judge: Honorable Kauanoë Jackson

## I. NOTICE OF CORRECTED SERVICE OF ALL FILINGS ON COUNSEL OF RECORD

Petitioners Daisy Mitchell and Rebecca Melendez, appearing pro se, respectfully submit this Supplemental Notice to advise the Court that they have completed corrected certified service of all filings made after the initial Petition upon all counsel of record at the addresses listed in each attorney's notice of appearance and filings with this Court.

Petitioners acknowledge that prior service of documents was directed to the addresses listed on the return of service forms accompanying the summons issued in this matter — specifically, it was addressed to Respondents Kamehameha Schools and Marissa Harman, Respondent Hawaii County and Jeff Darrow, and Respondents G70 and Kawika McKeague — as Petitioners in good faith believed those to be the proper service addresses for all parties. Petitioners did not yet understand that post-petition filings were required to be served upon each party's attorney of record at counsel's office address, rather than upon the Respondents directly at the addresses reflected in the return of service forms. Upon recognizing that the correct service addresses were the office addresses of each attorney of record, Petitioners undertook corrective action as promptly as practicable given the constraints of their working schedules, and completed re-service via FedEx Overnight delivery to ensure receipt by all counsel of record prior to the scheduled hearing date.

Petitioners have re-served via FedEx Overnight delivery true and correct copies of all filings, except Daisy Mitchell Declaration because she certified mailed it, made after the initial Petition upon each attorney of record at their correct addresses of record, dispatched on the same day this Supplemental filing was submitted to the Court. Photographic evidence of each mailing and corresponding FedEx tracking confirmations are retained by Petitioners as proof of service and are available for submission to the Court upon request.

Petitioners respectfully request that the Court accept this corrected service as satisfying the service requirements applicable to pro se litigants acting in good faith, and note that no prejudice to any party has resulted from the prior inadvertent misdirection of service.

II. SUPPLEMENTAL ARGUMENT IN RESPONSE TO RESPONDENTS KAMEHAMEHA SCHOOLS AND MARISSA HARMAN'S JOINDER [DKT. 65]: WATER ALLOCATION LETTERS B-6-1 AND B-6-2 WERE ADDRESSED DIRECTLY TO RESPONDENTS G70 AND KAWIKA MCKEAGUE

In further response to the Joinder filed by Respondents Kamehameha Schools and Marissa Harman [Dkt. 65], Petitioners draw the Court's attention to a critical and un rebutted fact established in the record of the First Amended Petition: Exhibits B-6-1 and B-6-2, which are letters from the Hawai'i County Department of Water Supply confirming that only 101 units of water were allocated to the project pursuant to an executed Water Agreement dated April 4, 2012, were addressed directly to Respondents G70 and Kawika McKeague by name. These letters — transmitted by the County Department of Water Supply to G70 and to McKeague in his capacity as President of G70 — placed both Respondents on direct, documented notice that the project's water allocation was limited to 101 units, while the Final Environmental Impact Statement ("FEIS") that G70 prepared and that McKeague signed and submitted describes a 150-unit lodging project. (First Amended Petition, Section II.I, pp. 64-66; Exs. B-6-1, B-6-2, B-8.) The fact that these allocation-limiting letters were sent directly to G70 and McKeague further confirms that their preparation and submission of an FEIS advancing a materially expanded 150-unit project, without reconciling or disclosing the water allocation discrepancy, was not inadvertent — it was a knowing omission by parties who possessed the limiting information at the time the FEIS was finalized. This directly supports Petitioners' allegation that G70 and McKeague are not passive parties but active participants in the preparation and submission of a materially deficient and allery misleading environmental review document, and further demonstrates why both are properly named as Respondents in this action.

DATED: Kailua-Kona, Hawai'i, \_\_\_\_\_, 2026.

\_\_\_\_\_  
DAISY MITCHELL

Petitioner, Pro Se

P.O. Box 2627  
Kailua-Kona, Hawai'i 96745

---

REBECCA MELENDEZ

Petitioner, Pro Se

P.O. Box 2332

Kailua-Kona, Hawai'i 96745

[bigislandtalk@gmail.com](mailto:bigislandtalk@gmail.com)

(808) 699-4331

#### CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of PETITIONERS' SUPPLEMENTAL NOTICE OF SERVICE AND SUPPLEMENTAL RESPONSE TO RESPONDENTS KAMEHAMEHA SCHOOLS AND MARISSA HARMAN'S JOINDER [DKT. 65] were served upon the following parties by certified FedEx overnight mail, postage prepaid, on the dates indicated below, at their correct addresses of record:

CARLSMITH BALL LLP

Attn: John P. Manaut / Puananionaona P. Thoene / Katherine A. Garson

Attorneys for Respondents Kamehameha Schools and Marissa Harman

1001 Bishop Street, Suite 2100

Honolulu, Hawai'i 96813

CADES SCHUTTE

Attn: Calvert G. Chipchase / Lindsay N. McAneeley / Keola R. Whittaker

Attorneys for Respondents G70 and Kawika McKeague

1000 Bishop Street, Suite 1200  
Honolulu, Hawai'i 96813

OFFICE OF THE CORPORATION COUNSEL, COUNTY OF HAWAI'I

Attn: Sherilyn K. Tavares, Deputy Corporation Counsel

Attorney for Respondent County of Hawai'i

101 Aupuni Street, Suite 325

Hilo, Hawai'i 96720

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Kailua-Kona, Hawai'i, \_\_\_\_\_, 2026.

---

DAISY MITCHELL

Petitioner, Pro Se

---

REBECCA MELENDEZ

Petitioner, Pro Se