

SEAN KIM (HI 1787)
sklawhi@yahoo.com
Law Offices of Sean Kim
1188 Bishop Street, Suite 1210
Honolulu, HI 96813
Telephone No. 808.538.1812

WILLIAM MEHEULA (HI 2277)
meheula@pacificlaw.com
Meheula & Devens
Ocean View Center
707 Richards Street, PH1
Honolulu, HI 96813
Telephone No. 808.528.5003
Facsimile No. 808.254.6872

Attorneys for Intervenors
FAITH ACTION FOR COMMUNITY EQUITY,
MELVIN UESATO, AND
THE PACIFIC RESOURCE PARTNERSHIP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

HONOLULUTRAFFIC.COM; CLIFF
SLATER; BENJAMIN J.
CAYETANO; WALTER HEEN;
HAWAI'I'S THOUSAND FRIENDS;
THE SMALL BUSINESS HAWAI'I
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

CIVIL NO. 11-00307 AWT

**MOTION TO INTERVENE OF
FAITH ACTION FOR
COMMUNITY EQUITY, THE
PACIFIC RESOURCE
PARTNERSHIP, AND MELVIN
UESATO; MEMORANDUM IN
SUPPORT OF MOTION TO
INTERVENE ; DECLARATION OF
ANDREW ASTOLFI; DECLARATION
OF ROBERT NAKATA;
DECLARATION OF JOHN WHITE;
EXHIBIT A; DECLARATION OF
DAVIN AUYONG; DECLARATION
OF RUBEN AMODO; DECLARATION
OF MELVIN UESATO;
DECLARATION OF SEAN KIM;
EXHIBIT A; REQUEST FOR**

STATES DEPARTMENT OF
TRANSPORTATION; RAY
LAHOOD, in his official capacity as
Secretary of Transportation; THE CITY
AND COUNTY OF HONOLULU;
WAYNE YOSHIOKA, in his official
capacity as Director of the City and
County of Honolulu, Department of
Transportation Services,

Defendants.

JUDICIAL NOTICE, DECLARATION
OF SEAN KIM; EXHIBIT A;
[PROPOSED] ORDER GRANTING
MOTION TO INTERVENE]; AND
CERTIFICATE OF SERVICE

(Presiding: The Honorable A. Wallace
Tashima, United States Circuit Judge
Sitting by Designation)

Date Action Filed: May 12, 2011

Trial Date: None Set

**MOTION TO INTERVENE OF FAITH ACTION FOR
COMMUNITY EQUITY, THE PACIFIC RESOURCE PARTNERSHIP,
AND MELVIN UESATO**

FAITH ACTION FOR COMMUNITY EQUITY (“FACE”), HAWAII
CARPENTERS MARKET RECOVERY PROGRAM, dba THE PACIFIC
RESOURCE PARTNERSHIP (“PRP”) , and MELVIN UESATO (collectively,
“Intervenors”) respectfully move to intervene as Defendants in the above-entitled
action pursuant to Rule 24 of the Federal Rules of Civil Procedure. This motion is
based on the fact that Intervenors have protectable interests that will be affected by
the outcome of the litigation, which will not be adequately protected by those who
are already parties to the litigation.

Upon issuance of an order granting Intervenors leave to intervene,
Intervenors will file and serve its Answer in Intervention, a copy of which has been
submitted with this Motion and is attached as **Exhibit A**.

This motion is based on Rule 24 of the Federal Rule of Civil Procedure, this
Notice of Motion and Motion, the Memorandum of Points and Authorities in
Support of Motion to Intervene, the concurrently filed Declarations of Andrew
Astolfi, John White, Melvin Uesato, Davin Auyong, Ruben Amodo, Robert
Nakata, and Sean Kim, the Request for Judicial Notice and Declaration of Sean
Kim, the attached proposed Answer in Intervention (Exhibit A), a proposed order,

and all pleadings and papers on file in this action, and upon such matters as may be presented to the Court at the time of the hearing.

Dated: Honolulu, Hawai'i, January 3, 2012

/s/ William Meheula

WILLIAM MEHEULA

SEAN KIM

Attorneys for Intervenors

FAITH ACTION FOR COMMUNITY

EQUITY, MELVIN UESATO and THE

PACIFIC RESOURCE PARTNERSHIP