



**1:11-cv-00307-AWT** Honolulutraffic.com et al v. Federal Transit Administration et al  
A. WALLACE TASHIMA, presiding

**Date filed:** 05/12/2011

**Date of last filing:** 01/20/2012

## History

Doc. No.	Dates	Description
<a href="#">1</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Complaint <i>Docket Text:</i> COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF against All Defendants, filed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. (Attachments: # (1) Civil Cover Sheet)(bbb, )
<a href="#">2</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued <i>Docket Text:</i> SUMMONS Issued as to Wayne Yoshioka. (bbb, )
<a href="#">3</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued <i>Docket Text:</i> SUMMONS Issued as to City and County of Honolulu, The. (bbb, )
<a href="#">4</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued as to USA <i>Docket Text:</i> SUMMONS Issued as to Ray Lahood, U.S. Attorney and U.S. Attorney General (bbb, )
<a href="#">5</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued as to USA <i>Docket Text:</i> SUMMONS Issued as to United States Department of Transportation, U.S. Attorney and U.S. Attorney General (bbb, )
<a href="#">6</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued as to USA <i>Docket Text:</i> SUMMONS Issued as to Peter M. Rogoff, U.S. Attorney and U.S. Attorney General (bbb, )
<a href="#">7</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued as to USA <i>Docket Text:</i> SUMMONS Issued as to Leslie Rogers, U.S. Attorney and U.S. Attorney General (bbb, )
<a href="#">8</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Summons Issued as to USA <i>Docket Text:</i> SUMMONS Issued as to Federal Transit Administration, U.S. Attorney and U.S. Attorney General (bbb, )
<a href="#">9</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Filing Fee Received <i>Docket Text:</i> Civil Filing fee: \$ 350.00,receipt number 255525 re [1] Complaint, (bbb, )
<a href="#">10</a>	<i>Filed &amp; Entered:</i> 05/12/2011	Set Rule 16 Scheduling Conference <i>Docket Text:</i> ORDER SETTING RULE 16 SCHEDULING CONFERENCE: TO BE SET before Magistrae Judge Richard L. Puglisi. Signed by Chief JUDGE

	SUSAN OKI MOLLWAY on May 12, 2011. (Attachments: # (1) MEMO to All Counsel re: Corporate Disclosure Statements)(bbb, )No COS issued for this docket entry	
	<i>Filed &amp; Entered:</i> 05/12/2011	Motion for Pro Hac Vice
	<i>Terminated:</i> 05/27/2011	
<a href="#">11</a>	<i>Docket Text:</i> Plaintiffs Benjamin J. Cayetano, Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation AND Michael Uechi's APPLICATION TO APPEAR PRO HAC VICE for counsel Matthew G. Adams;# (1) Declaration of Counsel. (bbb, )	
	<i>Filed &amp; Entered:</i> 05/12/2011	Filing Fee Received
<a href="#">12</a>	<i>Docket Text:</i> Pro Hac Vice Filing fee for atty Matthew Adams: \$ 300.00,receipt number 255526 re [11] MOTION for Pro Hac Vice (bbb, )	
	<i>Filed &amp; Entered:</i> 05/12/2011	Motion for Pro Hac Vice
	<i>Terminated:</i> 05/27/2011	
<a href="#">13</a>	<i>Docket Text:</i> Plaintiffs Benjamin J. Cayetano, Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation and Michael Uechi's APPLICATION TO APPEAR PRO HAC VICE for attorney Nicholas C. Yost; # (1) Declaration of Counsel. (bbb, )	
	<i>Filed &amp; Entered:</i> 05/12/2011	Filing Fee Received
<a href="#">14</a>	<i>Docket Text:</i> Pro Hac Vice Filing fee for atty Nicholas Yost: \$ 300.00,receipt number 255527 re [13] MOTION for Pro Hac Vice (bbb, )	
	<i>Filed &amp; Entered:</i> 05/13/2011	Order
<a href="#">15</a>	<i>Docket Text:</i> ORDER OF RECUSAL. Signed by District JUDGE LESLIE E. KOBAYASHI on May 13, 2011. (bbb, )	
	CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry	
	<i>Filed &amp; Entered:</i> 05/13/2011	Order Reassigning Case
<a href="#">16</a>	<i>Docket Text:</i> <b>ORDER REASSIGNING CASE.</b> Case reassigned to JUDGE A. WALLACE TASHIMA for all further proceedings. JUDGE LESLIE E. KOBAYASHI no longer assigned to case <a href="#">Please reflect Civil Case Number CIV NO. 11-00307 AWT on all further documents and pleadings</a> . Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 5/13/11. (eps)	
	CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. cc to all courtroom managers and initially assigned judges and the Courtroom Manager to Visiting Judge A Wallace Tashima with copy of the Civil Complaint	
	<i>Filed &amp; Entered:</i> 05/27/2011	Order on Motion to Appear Pro Hac Vice
<a href="#">17</a>	<i>Docket Text:</i> EO: Application to Appear Pro Hac Vice as to Matthew G. Adams (Doc. 11) -is hereby GRANTED.Application to Appear Pro Hac Vice as to Nicholas C. Yost (Doc. 13)-is hereby GRANTED. (JUDGE A. WALLACE TASHIMA)(lls, )	
	CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry	

<a href="#">18</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Wayne Yoshioka served on 5/17/2011, answer due 6/7/2011. (Yost, Nicholas)	
<a href="#">19</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. City and County of Honolulu, The served on 5/17/2011, answer due 6/7/2011. (Yost, Nicholas)	
<a href="#">20</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed as to USA
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Federal Transit Administration served on 5/16/2011, answer due 7/15/2011. (Yost, Nicholas)	
<a href="#">21</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed as to USA
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Leslie Rogers served on 5/24/2011, answer due 7/25/2011. (Yost, Nicholas)	
<a href="#">22</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed as to USA
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Ray LaHood served on 5/16/2011, answer due 7/15/2011. (Yost, Nicholas)	
<a href="#">23</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed as to USA
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. United States Department of Transportation served on 5/16/2011, answer due 7/15/2011. (Yost, Nicholas)	
<a href="#">24</a>	<i>Filed &amp; Entered:</i> 05/27/2011	Summons Returned Executed as to USA
	<i>Docket Text:</i> SUMMONS Returned Executed by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Peter M. Rogoff served on 5/16/2011, answer due 7/15/2011. (Yost, Nicholas)	
<a href="#">26</a>	<i>Filed &amp; Entered:</i> 06/01/2011 <i>Terminated:</i> 06/14/2011	Motion for Pro Hac Vice
	<i>Docket Text:</i> (MOTION )Application to Appear Pro Hac Vice - [Robert D. Thornton] by Defendants City and County of Honolulu, The, Wayne Yoshioka (Attachments: # (1) Declaration of Counsel)(ecs, )	

<a href="#">27</a>	<i>Filed &amp; Entered:</i> 06/01/2011	Filing Fee Received
	<i>Docket Text:</i> PRO HAC VICE Filing fee: \$ 300.00,receipt number 255784 - ROBERT D. THORNTON re [26] MOTION for Pro Hac Vice (ecs, )	
<a href="#">28</a>	<i>Filed &amp; Entered:</i> 06/01/2011	Motion for Pro Hac Vice
	<i>Terminated:</i> 06/14/2011	
	<i>Docket Text:</i> (MOTION)Application to Appear Pro Hac Vice [Edward V.A. Kussy] by Defendants City and County of Honolulu, The, Wayne Yoshioka (Attachments: # (1) Declaration of Counsel)(ecs, )	
<a href="#">29</a>	<i>Filed &amp; Entered:</i> 06/01/2011	Filing Fee Received
	<i>Docket Text:</i> PRO HAC VICE Filing fee: \$ 300.00,receipt number 255784 [EDWARD V.A. KUSSY] re [28] MOTION for Pro Hac Vice (ecs, )	
<a href="#">30</a>	<i>Filed &amp; Entered:</i> 06/02/2011	Notice of Appearance
	<i>Docket Text:</i> NOTICE of Appearance by Peter C. Whitfield on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation. (Whitfield, Peter)	
<a href="#">31</a>	<i>Filed:</i> 06/09/2011	Summons Issued as to USA
	<i>Entered:</i> 06/11/2011	
	<i>Docket Text:</i> Summons Issued as to "Any officer duly authorized to accept service on behalf of Office of the U.S. Attorney/PJJK Federal Building...." (afc)	
<a href="#">32</a>	<i>Filed &amp; Entered:</i> 06/14/2011	Order on Motion to Appear Pro Hac Vice
	<i>Docket Text:</i> EO: Application to Appear Pro Hac Vice as to Robert D. Thornton Appearing for Defendants City and County of Honolulu and Wayne Yoshioka (Doc. 26) -is hereby GRANTED. Application to Appear Pro Hac Vice as to Edward V. A. Kussy Appearing for Defendants City and County of Honolulu and Wayne Yoshioka (Doc. 28)-is hereby GRANTED. (JUDGE A. WALLACE TASHIMA)(lls, )	
	CERTIFICATE OF SERVICE	
	Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry	
<a href="#">33</a>	<i>Filed:</i> 06/15/2011	Summons Returned Executed as to USA
	<i>Entered:</i> 06/16/2011	
	<i>Docket Text:</i> SUMMONS RETURNED EXECUTED by Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Randall W. Roth, Cliff Slater, Michael Uechi, Walter Heen, Honolulutraffic.com, Hawaii's Thousand Friends. Federal Transit Administration served on 6/13/2011, answer due 8/12/2011. (bbb, )	
<a href="#">34</a>	<i>Filed &amp; Entered:</i> 06/23/2011	Stipulation and Order
	<i>Docket Text:</i> FIRST STIPULATION AND ORDER For Extension Of Time For Defendants The City & County of Honolulu and Wayne Yoshioka To Answer, Plead Or Otherwise Respond To The COmplaint : City and County of Honolulu, The answer due 7/18/2011; Wayne Yoshioka answer due 7/18/2011.. Signed by JUDGE A. WALLACE TASHIMA on 6/23/11. (eps)	

CERTIFICATE OF SERVICE	
Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry	
<a href="#">35</a>	<p><i>Filed &amp; Entered:</i> 07/18/2011   Answer to Complaint</p> <p><i>Docket Text:</i> ANSWER to [1] Complaint, by City and County of Honolulu, The, Wayne Yoshioka. (Attachments: # (1) Certificate of Service)(McAneeley, Lindsay)</p>
<a href="#">36</a>	<p><i>Filed &amp; Entered:</i> 08/12/2011   Answer to Complaint</p> <p><i>Docket Text:</i> ANSWER to [1] Complaint, by Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation. (Attachments: # (1) Exhibit Certificate of Service)(Whitfield, Peter)</p>
<a href="#">37</a>	<p><i>Filed &amp; Entered:</i> 09/09/2011   Motion for Judgment on the Pleadings</p> <p><i>Terminated:</i> 10/31/2011</p> <p><i>Docket Text:</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> John P. Manaut appearing for Defendants City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation, Wayne Yoshioka (Attachments: # (1) Memorandum in Support of Motion, # (2) <b>Request for Judicial Notice</b> , # (3) Exhibit "A", # (4) Exhibit "B", # (5) Exhibit "C" (1 of 11), # (6) Exhibit "C" (2 of 11), # (7) Exhibit "C" (3 of 11), # (8) Exhibit "C" (4 of 11), # (9) Exhibit "C" (5 of 11))(Manaut, John) [Note: Exhibit A and B (Original Color Hard Bound, DVD and CD) received by Court and will be RETAINED in case file.] Modified on 9/12/2011 (ecs, ). Modified on 12/12/2011 (ecs, ). Modified on 12/12/2011 (ecs, ).</p>
<a href="#">38</a>	<p><i>Filed &amp; Entered:</i> 09/09/2011   Motion for Judgment on the Pleadings</p> <p><i>Terminated:</i> 12/12/2011</p> <p><i>Docket Text:</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part II]</i> John P. Manaut appearing for Defendants City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation, Wayne Yoshioka (Attachments: # (1) Exhibit "C" (6 of 11), # (2) Exhibit "C" (7 of 11), # (3) Exhibit "C" (8 of 11), # (4) Exhibit "C" (9 of 11), # (5) Exhibit "C" (10 of 11), # (6) Exhibit "C" (11 of 11))(Manaut, John)</p>
<a href="#">39</a>	<p><i>Filed &amp; Entered:</i> 09/09/2011   Motion for Judgment on the Pleadings</p> <p><i>Terminated:</i> 12/12/2011</p> <p><i>Docket Text:</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part III]</i> John P. Manaut appearing for Defendants City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation, Wayne Yoshioka (Attachments: # (1) Exhibit "D", # (2) Exhibit "E", # (3) Exhibit "F", # (4) Exhibit "G", # (5) Exhibit "H", # (6) Exhibit "I", # (7) Exhibit "J", # (8) Exhibit "K", # (9) Exhibit "L", # (10) Exhibit "M" (1 of 2), # (11) Exhibit "M" (2 of 2))(Manaut, John)</p>
<a href="#">40</a>	<p><i>Filed &amp; Entered:</i> 09/09/2011   Motion for Judgment on the Pleadings</p> <p><i>Terminated:</i> 12/12/2011</p> <p><i>Docket Text:</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for</i></p>

	<p><i>Partial Judgment on the Pleadings [Part IV]</i> John P. Manaut appearing for Defendants City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, United States Department of Transportation, Wayne Yoshioka (Attachments: # (1) Exhibit "N", # (2) Exhibit "O", # (3) Exhibit "P", # (4) Exhibit "Q", # (5) Exhibit "R", # (6) Exhibit "S", # (7) Exhibit "T", # (8) Exhibit "U", # (9) Exhibit "V", # (10) Exhibit "W", # (11) Declaration of Faith Miyamoto, # (12) Certificate of Compliance, # (13) Certificate of Service)(Manaut, John)</p>
<p><a href="#">41</a></p>	<p><i>Filed &amp; Entered:</i> 09/26/2011   Memorandum in Opposition to Motion</p> <p><i>Docket Text:</i> <b>*Incorrect pdf attached as main document. Document refiled as docket entry [43]*</b> [Plaintiffs' Opposition to Defendants' Request for Judicial Notice] MEMORANDUM in Opposition re [37] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> filed by Benjamin J. Cayetano, Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation, Michael Uechi. (Attachments: # (1) Declaration Matt Adams Declaration in Support of Opposition, # (2) Exhibit Exhibit A to Adams Declaration, # (3) Exhibit Exhibit B to Adams Declaration, # (4) Exhibit Exhibit C to Adams Declaration, # (5) Exhibit Exhibit D to Adams Declaration, # (6) Exhibit Exhibit E to Adams Declaration, # (7) Exhibit Exhibit F to Adams Declaration, # (8) Exhibit Exhibit G to Adams Declaration, # (9) Exhibit Exhibit H to Adams Declaration, # (10) Exhibit Exhibit I to Adams Declaration, # (11) Declaration Nick Yost Declaration in Support of Opposition, # (12) Exhibit Exhibit A to Yost Declaration, # (13) Exhibit Exhibit B to Yost Declaration, # (14) Exhibit Exhibit C to Yost Declaration, # (15) Exhibit Exhibit D to Yost Declaration, # (16) Exhibit Exhibit E to Yost Declaration, # (17) Exhibit Exhibit F to Yost Declaration, # (18) Declaration Cliff Slater Declaration in Support of Opposition, # (19) Exhibit Exhibit A to Slater Declaration, # (20) Exhibit Exhibit B to Slater Declaration, # (21) Exhibit Exhibit C to Slater Declaration, # (22) Exhibit Exhibit D to Slater Declaration)(Yost, Nicholas). Modified on 9/27/2011 (ecs, ). Modified on 9/28/2011 (ecs, ).</p>
<p><a href="#">42</a></p>	<p><i>Filed &amp; Entered:</i> 09/26/2011   Memorandum in Opposition to Motion</p> <p><i>Docket Text:</i> <b>[Plaintiffs' Opposition to Defendants' Request for Judicial Notice]</b> MEMORANDUM in Opposition re [37] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> to Request for Judicial Notice filed by Benjamin J. Cayetano, Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation, Michael Uechi. (Yost, Nicholas) Title text added for clarification on 9/27/2011 (ecs, ).</p>

	<i>Filed &amp; Entered:</i> 09/27/2011	Advisory Entry
	<i>Docket Text:</i> ADVISORY ENTRY - Filing party has advised the Clerk's Office that entry docket number [41] Memorandum in Opposition to Motion filed by Cliff Slater, Honolulutraffic.com, Walter Heen, Randall W. Roth, Hawaii's Thousand Friends, Small Business Hawaii Entrepreneurial Education Foundation, Benjamin J. Cayetano, Michael Uechi was filed incorrectly in this case (incorrect main document attached). Filing party will refile the Memorandum in Opposition in its entirety. (ecs, )	
	<i>Filed &amp; Entered:</i> 09/27/2011	Memorandum in Opposition to Motion
43	<i>Docket Text:</i> MEMORANDUM in Opposition re [37] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> filed by Benjamin J. Cayetano, Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation, Michael Uechi. (Attachments: # (1) Declaration Adams Declaration, # (2) Exhibit A to Adams Declaration, # (3) Exhibit B to Adams Declaration, # (4) Exhibit C to Adams Declaration, # (5) Exhibit D to Adams Declaration, # (6) Exhibit E to Adams Declaration, # (7) Exhibit F to Adams Declaration, # (8) Exhibit G to Adams Declaration, # (9) Exhibit H to Adams Declaration, # (10) Exhibit I to Adams Declaration, # (11) Declaration Yost Declaration, # (12) Exhibit A to Yost Declaration, # (13) Exhibit B to Yost Declaration, # (14) Exhibit C to Yost Declaration, # (15) Exhibit D to Yost Declaration, # (16) Exhibit E to Yost Declaration, # (17) Exhibit F to Yost Declaration, # (18) Declaration Slater Declaration, # (19) Exhibit A to Slater Declaration, # (20) Exhibit B to Slater Declaration, # (21) Exhibit C to Slater Declaration, # (22) Exhibit D to Slater Declaration)(Yost, Nicholas)	
	<i>Filed &amp; Entered:</i> 09/27/2011	Certificate of Service
44	<i>Docket Text:</i> CERTIFICATE OF SERVICE by City and County of Honolulu, The, Wayne Yoshioka re [40] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part IV]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part IV]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part IV]</i> , [38] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part II]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part II]</i> , [39] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part III]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part III]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part III]</i> , [37] MOTION for Judgment on the Pleadings <i>Defendants' Motion for Partial Judgment on the Pleadings [Part I]</i> MOTION for Judgment on the Pleadings <i>Defendants' Motion for</i>	

	<p><i>Partial Judgment on the Pleadings [Part I] MOTION for Judgment on the Pleadings Defendants' Motion for Partial Judgment on the Pleadings [Part I] MOTION for Judgment on the Pleadings Defendants' Motion for Partial Judgment on the Pleadings [Part I] Amended Certificate of Service Re Exhibits "A" and "B"</i> (Manaut, John) Modified on 9/28/2011 (ecs, ).</p>
46	<p><i>Filed &amp; Entered:</i> 10/11/2011 <a href="#">Link</a></p> <p><i>Docket Text:</i> EO: Re- [37] Motion for Judgment on the Pleadings, [38] Motion for Judgment on the Pleadings, [39] Motion for Judgment on the Pleadings and [40] Motion for Judgment on the Pleadings-Judge Tashima will decide whether or not to hold oral argument after the Court has received the Reply Brief. (JUDGE A. WALLACE TASHIMA)(lls, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>
47	<p><i>Filed &amp; Entered:</i> 10/11/2011 <a href="#">Reply</a></p> <p><i>Docket Text:</i> <b>REPLY in Support of Motion for Partial Judgment on the Pleadings</b> [40] Defendants' Motion for Partial Judgment on the Pleadings [Part IV], [38] Defendants' Motion for Partial Judgment on the Pleadings [Part II], [39] Defendants' Motion for Partial Judgment on the Pleadings [Part III], [37] Defendants' Motion for Partial Judgment on the Pleadings [Part I] filed by City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation, Wayne Yoshioka. (Attachments: # (1) Declaration of Faith Miyamoto (Supplemental), # (2) Certificate of Compliance, # (3) Certificate of Service)(Manaut, John). Extraneous text deleted on 10/12/2011 (ecs, ).</p>
48	<p><i>Filed &amp; Entered:</i> 10/11/2011 <a href="#">Response</a></p> <p><i>Docket Text:</i> <b>RESPONSE in Support of Request for Judicial Notice</b> [37] Defendants' MOTION for Partial Judgment on the Pleadings [Part I] <i>Defendants' Response in Support of Request for Judicial Notice</i> filed by City and County of Honolulu, The, Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation, Wayne Yoshioka. (Attachments: # (1) Certificate of Compliance, # (2) Certificate of Service)(Manaut, John) Extraneous text deleted on 10/12/2011 (ecs, ).</p>
49	<p><i>Filed &amp; Entered:</i> 10/27/2011 <a href="#">Link</a></p> <p><i>Docket Text:</i> EO: Judge Tashima will be holding oral arguments on defendants' motions for partial Judgment on the pleadings and also hold a status/scheduling conference at the same time. Lead Counsel are to contact Leslie Sai, Courtroom Manager at (808) 541-3089 or by E-Mail: leslie_sai@hid.uscourts.gov as to which of the following dates are acceptable to have this Court hearing. The Dates available are Tuesday, November 15, 2011, Wednesday, November 30, 2011 or Thursday, December 1, 2011. The Oral arguments will take place at the U.S. Courthouse Bldg. in Honolulu, Hawaii (JUDGE A. WALLACE TASHIMA)(lls, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>

50	<p><i>Filed &amp; Entered:</i> 10/31/2011</p>	<p>Order on Motion for Judgment on the Pleadings</p> <p><i>Docket Text:</i> ORDER ON MOTION FOR JUDICIAL NOTICE [37]. Signed by JUDGE A. WALLACE TASHIMA on 10/31/2011. ~ Pending before the Court is Defendants' Request for Judicial Notice (Doc. 37-2), which was filed in conjunction with and in support of Defendants' Motion for Partial Judgment on the Pleadings. Because the Court believes that it will be helpful to counsel to have the Court's ruling on the request for judicial notice before the motion for partial judgment on the pleadings is argued, the Court now rules on the pending request for judicial notice. Defendants' Request for Judicial Notice is granted in part and denied in part. IT IS ORDERED:(1) Defendants' Request for Judicial Notice is granted as to Exhibits A-C.(2) Defendants' Request for Judicial Notice is granted as to Exhibits D-W, but such notice is limited only to the existence of those documents.(2) Defendant' Request for Judicial Notice is denied as to the public record facts in 11, 15, 18, 23, and 28. (ecs, )</p>
<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>		
51	<p><i>Filed &amp; Entered:</i> 11/01/2011</p>	<p>Notice of Hearing on Motion</p> <p><i>Docket Text:</i> NOTICE of Hearing on Motions [39] Defendants' Motion for Partial Judgment on the Pleadings [Part III], [38] Defendants' Motion for Partial Judgment on the Pleadings [Part II] and [40] Defendants' Motion for Partial Judgment on the Pleadings [Part IV] set for Court Hearing on 11/30/2011 at 10:00 AM before JUDGE A. WALLACE TASHIMA. The Court Hearing will take place at the U.S. Courthouse Building in Honolulu, Hawaii.(lfs, )</p>
<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry.</p>		
52	<p><i>Filed &amp; Entered:</i> 11/01/2011</p>	<p>Order</p> <p><i>Docket Text:</i> NOTICE OF STATUS/SCHEDULING CONFERENCE. Signed by JUDGE A. WALLACE TASHIMA on 11/1/2011. ~ ... the Court has set a combined Status/Scheduling Conference on November 30, 2011, at 10:00 a.m., immediately following the hearing on Defendants' Motion for Partial Judgment on the Pleadings. The parties shall meet and confer in person, telephonically and/or electronically and file, not less than ten (10) days before the conference, a joint status/scheduling report setting forth the parties agreement, or their respective positions on items as to which they cannot reach agreement, on all matters addressed by Rules 16 and 26 that are germane to this case, as well as any further matters necessary to address to ready this case for dispositive motions and/or trial. *( Status Conference set for 11/30/2011 10:00 AM before JUDGE A. WALLACE TASHIMA.)(ecs, )</p>
<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. [Note: Robert D Thornton also served a copy of docket entry #50- not served separately, but jointly with Edward V.A. Kussy in error.] Modified on 11/1/2011 (ecs, ).</p>		
53	<p><i>Filed &amp; Entered:</i> 11/18/2011</p>	<p>Scheduling Conference Statement</p> <p><i>Docket Text:</i> Scheduling Conference Statement. (Whitfield, Peter)</p>
	<p><i>Filed &amp; Entered:</i> 11/21/2011</p>	<p>Advisory Entry</p> <p><i>Docket Text:</i> <b>ADVISORY ENTRY</b> re docket number [53] (Joint Case Management Statement) Scheduling Conference Statement filed by Ray Lahood, Federal Transit Administration, Ray LaHood, United States Department of Transportation, Peter M.</p>

	<p>Rogoff, Leslie Rogers is missing counsel identification. Please be advised that counsel identification must be noted in the upper left-hand corner of the first page of the document (as required by Local Rule 10.2(b) "Identification of Person Filing a Document".) No further action necessary. (ecs, )</p>	
<a href="#">54</a>	<p><i>Filed &amp; Entered:</i> 11/30/2011</p>	<p>Notice of Appearance</p> <p><i>Docket Text:</i> NOTICE of Appearance by Harry Yee on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation. (Yee, Harry)</p>
<a href="#">55</a>	<p><i>Filed &amp; Entered:</i> 11/30/2011</p>	<p>Terminate Motion Deadlines/Hearings (inc F&amp;R)</p> <p><i>Docket Text:</i> EP: Hearing held regarding [38] Defendants' Motion for Partial Judgment on the Pleadings [Part II], [39] Defendants' Motion for Partial Judgment on the Pleadings [Part III], [40] Defendants' Motion for Partial Judgment on the Pleadings [Part IV]. Oral arguments heard.[38] Defendants' Motion for Partial Judgment on the Pleadings [Part II]-TAKEN UNDER ADVISEMENT.[39] Defendants' Motion for Partial Judgment on the Pleadings [Part III]-TAKEN UNDER ADVISEMENT.[40] Defendants' Motion for Partial Judgment on the Pleadings [Part IV]-TAKEN UNDER ADVISEMENT.Court to issue order.Status/Scheduling Conference held.Counsel to submit a joint scheduling order to the Court within a week.Counsel to discuss when the next status conference should be held. Status Conference to be held in California. (Court Reporter Ann Matsumoto.) (JUDGE A. WALLACE TASHIMA)(tl, )No COS issued for this docket entry</p>
<a href="#">56</a>	<p><i>Filed &amp; Entered:</i> 12/02/2011</p>	<p>Notice of Appearance</p> <p><i>Docket Text:</i> NOTICE of Appearance by Derrick K. Watson on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation on behalf of Federal Transit Administration, Ray LaHood, Leslie Rogers, Peter M. Rogoff, United States Department of Transportation. (Watson, Derrick)</p>
<a href="#">57</a>	<p><i>Filed &amp; Entered:</i> 12/12/2011</p>	<p>Order</p> <p><i>Docket Text:</i> ORDER ON [37] MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS [Part I]. Signed by JUDGE A. WALLACE TASHIMA on 12/12/2011. ~ IT IS ORDERED that Defendants' Motion for Partial Judgment on the Pleadings (Doc. 37) is DENIED. <i>Until the full administrative record is available, then, the Court lacks the context and information necessary to conclude whether the Public Citizen exhaustion requirement bars any claims or Plaintiffs in this case. Defendants' Motion is therefore premature.</i> (ecs, )</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry Modified on 12/21/2011 (ecs, ).</p>
<a href="#">58</a>	<p><i>Filed &amp; Entered:</i> 12/15/2011</p>	<p>Transcript</p> <p><i>Docket Text:</i> TRANSCRIPT of Proceedings held on 11-30-2011, - before Judge A. Wallace Tashima. Court Reporter/Transcriber Ann B. Matsumoto, Telephone number (808) 521-1877. Transcript may be viewed at the court public terminal or ordered through the Court Reporter/Transcriber before the deadline for Release of</p>

	Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 1/2/2012. Redacted Transcript Deadline set for 1/12/2012. Release of Transcript Restriction set for 3/12/2012. (Matsumoto, Ann)	
<a href="#">59</a>	<i>Filed &amp; Entered:</i> 12/29/2011	Motion for Leave to File <i>Docket Text:</i> MOTION for Leave to File <i>First Amended Complaint</i> Nicholas C. Yost appearing for Plaintiff Honolulutraffic.com (Attachments: # (1) Memorandum in Support of Plaintiffs' Motion for Leave to File First Amended Complaint, # (2) Declaration of Robert Loy in Support of Plaintiffs' Motion for Leave to File First Amended Complaint, # (3) Proposed Order Granting Plaintiffs' Motion for Leave to File First Amended Complaint)(Yost, Nicholas)
<a href="#">60</a>	<i>Filed &amp; Entered:</i> 12/29/2011 <i>Terminated:</i> 12/30/2011	Motion for Leave to File <i>Docket Text:</i> MOTION for Leave to File <i>First Amended Complaint: Certificate of Service</i> Nicholas C. Yost appearing for Plaintiff Honolulutraffic.com (Yost, Nicholas)
	<i>Filed &amp; Entered:</i> 12/30/2011	Advisory Entry <i>Docket Text:</i> <b>ADVISORY ENTRY</b> re entry docket number [60] MOTION for Leave to File First Amended Complaint filed by Honolulutraffic.com. Entry is a Certificate of Service and should have been filed using the "Certificate of Service" event located under " <i>Initial Pleadings and Service/Service of Process</i> ". Motion for Leave to File First Amended Complaint filed as docket number [59]. No further action necessary by filing party. The erroneous motion will be terminated by the Clerk's Office. (ecs, )
<a href="#">61</a>	<i>Filed &amp; Entered:</i> 01/03/2012	Motion to Intervene <i>Docket Text:</i> MOTION to Intervene William Meheula appearing for Intervenor Defendants Faith Action For Community Equity, THE PACIFIC RESOURCE PARTNERSHIP, MELVIN UESATO (Attachments: # (1) Memorandum in Support of Motion to Intervene, # (2) Declaration of Andrew Astolfi, # (3) Declaration of Robert Nakata, # (4) Declaration of John White, # (5) Exhibit A, # (6) Declaration of Davin Auyong, # (7) Declaration of Ruben Amodo, # (8) Declaration of Melvin Uesato, # (9) Declaration of Sean Kim, # (10) Exhibit A, # (11) Exhibit 1, # (12) Proposed Order Granting Motion to Intervene, # (13) Certificate of Service)(Meheula, William)
<a href="#">62</a>	<i>Filed &amp; Entered:</i> 01/03/2012	Request <i>Docket Text:</i> REQUEST Judicial Notice by Faith Action For Community Equity, MELVIN UESATO, THE PACIFIC RESOURCE PARTNERSHIP. (Attachments: # (1) Declaration of Sean Kim, # (2) Declaration A, # (3) Certificate of Service)(Meheula, William)
<a href="#">63</a>	<i>Filed &amp; Entered:</i> 01/09/2012	Set Hearings <i>Docket Text:</i> EO: After reviewing the proposed Scheduling Order submitted by the parties, the Court, sua sponte, defers the next Status Conference from 2/7/2012, in San Francisco, to Tuesday, 3/27/2012, at 10:00 a.m., at the U.S. Court of Appeals, 125 S. Grand Ave., Pasadena, CA 91105. Counsel may file brief status conference reports not later than one week before the conference, setting forth the issues to be

	addressed. The Scheduling Order will be filed shortly. (JUDGE A. WALLACE TASHIMA)(lts, )
	<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>
<a href="#">64</a>	<p><i>Filed &amp; Entered:</i> 01/09/2012 Request</p> <p><i>Docket Text:</i> Letter of REQUEST addressed to Judge A. Wallace Tashima from <b>Civil Beat</b> to Live Blog from the courtroom throughout the Honolulu rail lawsuit proceedings, 12/5/2011 (ecs, )</p>
<a href="#">65</a>	<p><i>Filed &amp; Entered:</i> 01/09/2012 Order</p> <p><i>Docket Text:</i> ORDER ON THE CIVIL BEAT'S LETTER OF REQUEST [64]. Signed by JUDGE A. WALLACE TASHIMA on 1/9/2012. (ecs, )</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. Local media outlets will be served via email by Gina Doane, Chief Deputy Clerk.</p>
<a href="#">66</a>	<p><i>Filed &amp; Entered:</i> 01/10/2012 Scheduling Order</p> <p><i>Docket Text:</i> RULE 16 SCHEDULING ORDER. Signed by JUDGE A. WALLACE TASHIMA, <b>Dated nunc pro tunc 12/30/2011.</b> (ecs, )</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>
<a href="#">67</a>	<p><i>Filed &amp; Entered:</i> 01/11/2012 Stipulation</p> <p><i>Docket Text:</i> STIPULATION AND ORDER FOR TIME FOR DEFENDANTS TO RESPOND TO PLAINTIFFS' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT by City and County of Honolulu, The, Wayne Yoshioka. (Attachments: # (1) Certificate of Service)(Thornton, Robert)</p>
<a href="#">68</a>	<p><i>Filed &amp; Entered:</i> 01/12/2012 Link</p> <p><i>Docket Text:</i> EO: RE: Stipulation and Proposed Order for Time for Defendants to Respond to Plaintiffs Motion for Leave to File First Amended Complaint (Doc. 67) Court hereby approves the Stipulation that all Defendants have until and including 1/23/2012 to file a response to Plaintiffs Motion for Leave to file First Amended Complaint (Doc. No. 59). IT IS HEREBY ORDERED. (JUDGE A. WALLACE TASHIMA)(lts, )</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>
<a href="#">69</a>	<p><i>Filed &amp; Entered:</i> 01/13/2012 Request</p> <p><i>Docket Text:</i> REQUEST in behalf of the Honolulu Star-Advertiser re [65], 1/13/2012. (ecs, )</p>
<a href="#">70</a>	<p><i>Filed &amp; Entered:</i> 01/13/2012 Request</p> <p><i>Docket Text:</i> REQUEST from Hawaii News Now re [65], 1/13/2011. (ecs, )</p>
<a href="#">71</a>	<p><i>Filed &amp; Entered:</i> 01/20/2012 Stipulation</p> <p><i>Docket Text:</i> STIPULATION AND ORDER FOR TIME TO FOR RESPONSES TO PROPOSED INTERVENORS' MOTION TO INTERVENE by Benjamin J. Cayetano,</p>

Hawaii's Thousand Friends, Walter Heen, Honolulutraffic.com, Randall W. Roth, Cliff Slater, Small Business Hawaii Entrepreneurial Education Foundation, Michael Uechi. (Yost, Nicholas)

---