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OUR REFERENCE NO.:
031382-00006

January 26, 2005

VIA HAND DELIVERY

The Honorable Susan Oki Mollway
Judge U.S. District Court
U.S. District Courthouse
300 Ala Moana Boulevard
Honolulu, Hawaii 96813

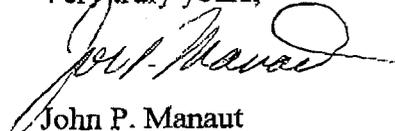
Re: Sensible Traffic v. City & County, et al.
Civil No. 03-00628 SOM-LEK

Dear Judge Mollway:

On behalf of the City Defendants in the above case, we are providing this update pursuant to the Court's Order concerning future federal participation in the BRT project.

While the City believes the federal FEIS is fully compliant with NEPA, a political decision has now been made by the current administration not to proceed further with any phase of the BRT project at this time. The new buses currently running on Route E, which is effectively the IOS, will be utilized elsewhere, effective February 1, 2005. The City still believes Plaintiff's lawsuit is baseless and that the existing environmental documentation is NEPA compliant; however, the new administration has no intention to pursue the former administration's BRT project.

Very truly yours,



John P. Manaut

cc: All Counsel of Record

JPM/bhs
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