

**HOUSE OF REPRESENTATIVES
STATE OF HAWAII
THE THIRTY-FIRST LEGISLATURE**

In the matter of the House Investigative)	[]	SUBPOENA
Committee to Investigate Compliance with)	[X]	SUBPOENA DUCES TECUM
Audit Nos. 19-12 and 21-01)	[X]	EXHIBIT "A"
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FROM THE STATE OF HAWAII TO:

The Sergeants-at-Arms of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; the sheriff or the sheriff's deputies; the chief of police of any county or the chief's deputies; any police officer of the State or any county; and any officer authorized by law to serve subpoenas in the State of Hawaii,

YOU ARE COMMANDED to subpoena the individual named below:

James J. Nakatani, Executive Director of the Agribusiness Development Corporation, or Other Appropriate Individual in custody of the books, records, documents, or other evidence requested below
State Office Tower
235 South Beretania Street, Room 205
Honolulu, Hawaii 96813

THE ABOVE-NAMED INDIVIDUAL IS COMMANDED, at the place, date, and time indicated below, **TO:**

- [] Appear and testify before the above-named Investigative Committee. The above-named individual may designate any other agency representative, upon that representative's consent, to appear and testify on the individual's behalf.
- [X] Produce the documents or things described below.

PLACE: Via e-mail to Chair Della Au Belatti, House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01
repbelatti@capitol.hawaii.gov

DATE: Friday, October 15, 2021

TIME: 4:30 P.M.

DESCRIPTION OF DOCUMENTS TO BE PRODUCED (Attach EXHIBIT A if necessary):

See Exhibit A.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT PURSUANT TO THE HAWAII STATE CONSTITUTION; SECTION 21-14, HAWAII REVISED STATUTES; AND THE RULES OF HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE COMPLIANCE WITH AUDIT NOS. 19-12 AND 21-01.

Della Au Belatti

Rep. Della Au Belatti,
Chair, House Investigative Committee to Investigate
Compliance with Audit Nos. 19-12 and 21-01

Date: 9/29/2021

This subpoena is issued in the above-captioned matter under the authority of the Hawaii State Constitution; Section 21-8 of the Hawaii Revised Statutes; House Resolution No. 164 of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021; Rule 55.1 of the Rules of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; and Rule 2.2 of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

NOTICE TO WITNESS

You have been subpoenaed to produce certain books, records, documents, or other evidence to the House Investigative Committee to Investigate Compliance with Audit No. 19-12 and 21-01. The Investigative Committee was established by House Resolution No. 164, Thirty-First Legislature of the State of Hawaii, Regular Session of 2021. The Investigative Committee is authorized to follow up on the Audit of the Department of Land and Natural Resources' Special Land and Development Fund, Report No. 19-12, and Audit of the Agribusiness Development Corporation, Report No. 21-01, and to examine the recommendations made in those audits, for purposes of improving the operations and management of state agencies, their funds, and any other matters.

Together with this subpoena, you are being served with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

I certify that this is a full, true, and correct copy of the original on file in this office.

M. L. Tiller

Clerk, House of Representatives,
Legislature, State of Hawaii

Date: 9/29/21

EXHIBIT A

DOCUMENTS TO BE PRODUCED

To be produced pursuant to the Rules of the Investigative Committee with the appropriate date stamp as follows:

1. Any and all emails related to the provision of the Auditor's draft report, findings, and recommendations in the Audit of the Agribusiness Development Corporation, Report No. 21-01;
2. A list of the seven (7) initial tenant files that were turned over to the Auditor during the audit process;
3. Records or documentation, including from other agencies, that led to the Agribusiness Development Corporation's decision not to hire a private property manager;
4. Any and all land purchase agreements entered into by the Agribusiness Development Corporation from 2010-2021 and any market analysis developed in conjunction with these purchases; and
5. All agendas, minutes, and recordings of the Board of Directors of the Agribusiness Development Corporation meetings from 2010-2021.

RETURN OF SERVICE

I, Rod Tanonaka, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FOLLOWING IS TRUE AND CORRECT:

I served the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01's Subpoena, along with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01 to:

James J. Nakatani, Executive Director of the Agribusiness Development Corporation
State Office Tower
235 South Beretania Street, Room 205
Honolulu, Hawaii 96813

On another individual (explain): Asi Clark Cousins

by delivering the copies personally on September 29, 2021 at 11:50 M.

Signature of Process Server: [Signature]

Print Name, Address, and Telephone Number of Process Server:
Rod Tanonaka
415 S. Beretania St
Honolulu, HI 96813
808-586-6500

ACKNOWLEDGMENT OF SERVICE

Signature of Person served: Mark M. Nomura 9/29/21

Print Name: Mark M. Nomura
for State of Hawaii only