

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

In the matter of the House Investigative)	[]	SUBPOENA
Committee to Investigate Compliance)	[X]	SUBPOENA DUCES TECUM
with Audit Nos. 19-12 and 21-01)	[X]	EXHIBIT "A"
_____)		

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:

Ms. Lenora D. Fisher, Administrator of the Accounting Division at the Department of Accounting and General Services, or Other Appropriate Individual in custody of the books, records, documents, or other evidence requested below
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813
[REDACTED]

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: Wednesday, December 22, 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 A Belatti

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

Date: 12/15/2021

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.

Theresa L. ...

Clerk, House of Representatives,
Legislature, State of Hawaii

Date: 12/15/21

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 records or documents related to the expenditure of public funds appropriated pursuant to Act 1, First Special Session Laws of Hawaii 2017, including any invoices or checks paid or written from this appropriation;
2. A summary on how each portion of the amount appropriated was used, the current status of any and all remaining funds related to the legislative appropriation, and a timeline of when those amounts were encumbered, paid, and unencumbered, including a summary of expenditures to Randal K.O. Lee; Daniel Hanagami; BKD, LLP; and Baker Tilly Virchow Krause;
3. Information on whether any portion of the funds appropriated pursuant to Act 1, First Special Session Laws of Hawaii 2017, lapsed, including when those funds lapsed and the amount of funds that lapsed;
4. The encumbrance, closure, and/or termination dates for contracts between the Office of the Auditor and Randal K.O. Lee; Daniel Hanagami; BKD, LLP; and Baker Tilly Virchow Krause related to the Audit of the Honolulu Authority for Rapid Transportation conducted pursuant to Act 1, First Special Session Laws of Hawaii 2017; and
5. The encumbrance, closure, cancellation, and/or termination dates for any and all contracts between the Office of the Auditor and BKD, LLP from June 2017 through the present.

RETURN OF SERVICE

I, Tamah-Lani S. K. Noh, 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:

X Ms. Lenora D. Fisher, Administrator of the Accounting Division at the Department of Accounting and General Services
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813
[Redacted]

X On another individual (explain): in custody of the books, records, documents, or other evidence;

by delivering the copies personally and/or via electronic mail as consented to by Ms. Lenora D. Fisher on December 15, 2021 at 1:35 P. M.

Signature of Process Server: Tamara S. K. Noh

Print Name, Address, and Telephone Number of Process Server:
Tamah-Lani S. K. Noh
415 S. Beretania St.
Honolulu, HI 96813
808-586-6500

ACKNOWLEDGMENT OF SERVICE

Signature of Person served: [Signature]

Print Name: Lenora Fisher

Signature: [Signature]

Email: lenora.d.fisher@hawaii.gov