

**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: Wednesday, October 20, 2021  
TIME: 4:30 P.M.

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

See Exhibit A.

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**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: 10/6/2021

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.

*Thi L. T. [Signature]*

Clerk, House of Representatives,  
Legislature, State of Hawaii

Date: 10/6/21

**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. The bylaws of the Kekaha Agriculture Association; and
2. Any and all submittals, presentations, requests, and documents to the Agribusiness Development Corporation staff and/or members of the Board of Directors of Agribusiness Development Corporation between 2016 to present relating to the Agribusiness Development Corporation's land on Kauai, including and specifically the lands of DuPont Pioneer, Syngenta, Dow, and BASF.

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:

\_\_\_\_\_ 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):  
Atis office

by delivering the copies personally on October 6, 2021 at 12:19 P.M.

Signature of Process Server: Tamah-Lani 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: Kendall J. Moser

Print Name: Kendall J. Moser