



Letter

June 26, 2020

Via Email

The Honorable Jill A. Otake
Otake_Orders@hid.uscourts.gov
United States Courthouse
300 Ala Moana Boulevard, Room C-338
Honolulu, HI 96850

Re: *Carmichael et al. vs. Governor David Y. Ige*,
Case No. 1:20-cv-00273 JAO-WRP

Dear Judge Otake:

I write to request an adjustment to the format for the July 2, 2020 hearing on Plaintiffs' *Application for a Temporary Restraining Order and for Order to Show Cause Why Preliminary Injunction Should Not Issue* [Dkt. 12]. Given the significance of the issues, I intend to enter an appearance on behalf of Governor David Ige and handle the hearing. I would therefore ask that the Court allow the parties to appear in person, with a video feed to accommodate those who should choose to participate remotely.

I understand that our office previously agreed to have the hearing handled via a Zoom meeting. Nevertheless, I believe an in-person hearing would better enable the parties to respond to the Court's questions and assist in an evaluation of the significant public policy and legal issues in this matter. While I understand counsel for Plaintiffs object to this request, I do not believe the parties would be prejudiced by an in-person hearing. Plaintiffs are represented by competent local counsel who is experienced in litigating constitutional issues and can attend the

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hearing if co-counsel are unavailable. The State also has provided Plaintiffs' mainland counsel an exemption to travel to Hawai'i and to appear personally, as a court activity permitted under the existing emergency order. Needless to say, I will abide fully by any of the Court's requirements concerning entry to the courthouse and physical distancing during the hearing.

Thank you for your consideration.

Respectfully,



Clare E. Connors
Attorney General
State of Hawai'i

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