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CHARLENE K. OKAWA CLERK

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

PELE DEFENSE FUND,

Plaintiff,

vs.

WILLIAM PATY, et al.,

Defendants.

CIVIL NO. 89-089 (Hilo) (Declaratory Judgment/Injunction)

ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS TRUE GEOTHERMAL ENERGY CO., TRUE GEOTHERMAL DRILLING CO., AND MID-PACIFIC GEOTHERMAL, INC.'S AND DEFENDANTS THE ESTATE OF JAMES CAMPBELL, DECEASED, W. H. MCVAY AND P. R. CASSIDAY, TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, ACTING IN THEIR FIDUCIARY AND NOT IN THEIR INDIVIDUAL CAPACITIES, HERBERT C. CORNUELLE AND F. E. TROTTER'S MOTIONS FOR PROTECTIVE ORDER OR IN THE ALTERNATIVE TO QUASH SUBPOENA DUCES TECUM FILED APRIL 12, 1993

Hearing

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

The state of the s

Clerk, Third Circuit Court, State of Hawaii

Date: Time: Judge: April 16, 1993

8:30 a.m.

Riki May Amano

ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS TRUE GEOTHERMAL ENERGY CO., TRUE GEOTHERMAL DRILLING CO., AND MID-PACIFIC GEOTHERMAL, INC.'S AND DEFENDANTS THE ESTATE OF JAMES CAMPBELL, DECEASED, W. H. McVAY AND P. R. CASSIDAY, TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, ACTING IN THEIR FIDUCIARY AND NOT IN THEIR INDIVIDUAL CAPACITIES, HERBERT C. CORNUELLE AND F. E. TROTTER'S MOTIONS FOR PROTECTIVE ORDER OR IN THE ALTERNATIVE TO QUASH SUBPOENA DUCES TECUM FILED APRIL 12, 1993

This matter having come on for hearing on April 16, 1993 at 8:30 a.m. before the Honorable Riki May Amano, Judge of the Third Circuit Court, in her courtroom at 75 Aupuni Street, Hilo, Hawaii, Gary B.K.T. Lee appearing on behalf of Defendants TRUE GEOTHERMAL ENERGY CO., TRUE GEOTHERMAL DRILLING CO., AND MID-PACIFIC GEOTHERMAL, INC. (Defendants True), Michael W. Gibson appearing on behalf of Defendants THE ESTATE OF JAMES CAMPBELL, DECEASED, W. H. MCVAY AND P. R. CASSIDAY, TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, ACTING IN THEIR FIDUCIARY AND NOT IN THEIR INDIVIDUAL CAPACITIES, HERBERT C. CORNUELLE AND F. E. TROTTER (Defendants Campbell) and Yuklin Aluli appearing on behalf of Plaintiff PELE DEFENSE FUND, based on the pleadings and records herein, the arguments of counsel and for good cause,

IT IS HEREBY ORDERED and DECREED:

1. On or before April 26, 1993, Defendants True, through its counsel, shall submit to this Court the lease, together with proposed deletions based on Defendants True's assertions that

portions of the lease contain proprietary information falling within the parameters of Hawaii Rules of Civil Procedure Rule 26(c)(7). The lease shall then be produced to Plaintiff, subject to deletions approved by the Court.

2. Defendants True and Campbell shall produce for inspection and copying for Plaintiff, at a time after May 7, 1993, the lease or other legal documents embodying the legal relationship between Defendants True and the Campbell Estate, or other document embodying the right of Defendants True to enter onto the lands described in Land Patent No. S-15; all permits, issued by the State of Hawaii or the County of Hawaii, or other governmental subdivision of the state, for the construction of access roads and well sites on the lands described in Land Patent No. S-15; and all permit applications including unsubmitted permit applications and rough drafts of permit applications for the construction of access roads and well sites on the lands described in Land Patent No. S-15.

DATED: Hilo, Hawaii,

RIKI MAY AMANO

JUDGE OF THE ABOVE ENTITLED C

Pele Defense Fund v. Paty, et al.; Civil No. 89-089 (Hilo), Order Granting In Part And Denying In Part Defendants True Geothermal Energy Co., True Geothermal Drilling Co., And Mid-Pacific Geothermal, Inc.'s And Defendants The Estate Of James Campbell, Deceased, W. H. McVay And P. R. Cassiday, Trustees Under The Will And Of The Estate Of James Campbell, Deceased, Acting In Their Fiduciary And Not In Their Individual Capacities, Herbert C. Cornuelle And F. E. Trotter's Motions For Protective Order Or In The Alternative To Quash Subpoena Duces Tecum Filed April 12, 1993

APPROVED AS TO FORM:

GARY B.K.T. LEE
Attorney for Defendants
TRUE GEOTHERMAL ENERGY CO.,
TRUE GEOTHERMAL DRILLING CO.,
and MID-PACIFIC GEOTHERMAL, INC.

MICHAEL W. GIBSON
Attorney for Defendants
THE ESTATE OF JAMES CAMPBELL,
DECEASED, W. H. MCVAY AND P. R.
CASSIDAY, TRUSTEES UNDER THE
WILL AND OF THE ESTATE OF JAMES
CAMPBELL, DECEASED, ACTING IN
THEIR FIDUCIARY AND NOT IN THEIR
INDIVIDUAL CAPACITIES, HERBERT C.
CORNUELLE AND F. E. TROTTER

YUKLIN ALULI

Attorney for Plaintiff

PELE DEFENSE FUND

Pole Defends Fund w. Date of all a Civil No. 90-000 (Wile) Order

Pele Defense Fund v. Paty, et al.; Civil No. 89-089 (Hilo), Order Granting In Part And Denying In Part Defendants True Geothermal Energy Co., True Geothermal Drilling Co., And Mid-Pacific Geothermal, Inc.'s And Defendants The Estate Of James Campbell, Deceased, W. H. McVay And P. R. Cassiday, Trustees Under The Will And Of The Estate Of James Campbell, Deceased, Acting In Their Fiduciary And Not In Their Individual Capacities, Herbert C. Cornuelle And F. E. Trotter's Motions For Protective Order Or In The Alternative To Quash Subpoena Duces Tecum Filed April 12, 1993