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IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

RICHARD PARTAL II, KRISTINE MARIE  
PARTAL, AND ELLEN PARTAL

Plaintiffs,

v.

DAVID Y. IGE, in his official capacity as  
Governor of the State of Hawaii; STATE OF  
HAWAII; MAYOR HARRY KIM, in his  
official capacity as the Mayor of Hawaii  
County; and John and/or Jane Does 1-10, in  
either official or individual capacities

Defendants.

CIVIL NO. 3CCV-20-0000277  
Other Civil Action

**SUPPLEMENTAL DECLARATION OF  
JAMES HOCHBERG, ESQ.**

**SUPPLEMENTAL DECLARATION OF JAMES HOCHBERG, ESQ.**

I, James Hochberg, Esq., declare:

1. I am an attorney licensed in this Court and represent Plaintiffs in this case as local counsel and I submit this Declaration in support of Plaintiffs' Reply Memorandum In Support of Cross Motion for Partial Summary Judgment filed on August 14, 2020.

2. On August 27, 2020, Declarant filed a Declaration of James Hochberg, Esq. in support of Plaintiffs Reply Memorandum for the Cross Motion for Partial Summary Judgment; attached thereto as Exhibit 18 was a true and correct copy of an email Declarant received on August 26, 2020, from Diane M. Sherman, the Executive Director of Clay Chapman Iwamura Pulice & Nervell, Attorneys at Law, a Law Corporation, where Declarant's law firm office is a subtenant; the email stated that Ms. Sherman called Governor Ige's office which confirmed that law firms are not deemed essential for the shutdown that is to start August 27, 2020, and therefore the offices will be closed for the next 2 weeks.

3. Subsequent to Declarant's filing Plaintiffs' Reply Memorandum, Declarant received a follow-up email from Diane M. Sherman, sent to all the firm tenants and employees, updating her prior email due to her having learned further that law firms are listed in Gov. Ige's newest COVID-19 proclamation as essential businesses.

4. On August 28, 2020, Declarant checked Gov. Ige's website for posting of COVID-19 proclamations <https://governor.hawaii.gov/emergency-proclamations/>; as of August 28, 2020, the 13<sup>th</sup> Supplementary Proclamation was not listed as one of the COVID-19 proclamations; Declarant files this Declaration to keep the Court apprised of a change from what was reported in Plaintiffs' Reply filed on August 27, 2020.

I declare under penalty of perjury under the laws of the State of Hawaii that the foregoing is true and correct and is executed on the date written below at Honolulu, Hawaii.

Dated: August 28, 2020

/s/ James Hochberg, Esq.  
JAMES HOCHBERG, ESQ.