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PROBATE SPECIAL MASTER

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

IN THE MATTER

OF

THE KALIMA CLASS ACTION
SETTLEMENT TRUST DATED JUNE 23,
2023.

T. No. 1CTR-23-0000142
(Trust)

**FIRST SUPPLEMENT TO PROBATE
SPECIAL MASTER'S REPORT RE:
PETITION FOR INSTRUCTIONS #20,
FILED APRIL 28, 2025; EXHIBITS
"2" – "4"; CERTIFICATE OF
SERVICE**

Hearing:

Date: June 6, 2025

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**FIRST SUPPLEMENT TO PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #20**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate
Special Master to examine the Petition for Instructions #20, filed April 28, 2025 (the
"Petition"), and respectfully submits this First Supplement to her Report, filed on May 13,
2025.

(M) PATRICK KAMOHOALII AKUNA SR.

Your Master was informed that the decedent's surviving spouse, Yolanda Paulette Akuna, died on or about December 7, 2024. A copy of her death certificate is being filed under seal.

Your Master also received a copy of the Last Will and Testament of Yolanda P. Akuna, dated November 17, 2021, which has not been admitted to probate. It directs the residue of the estate to be devised to Patrick K. Akuna, Jr.. The Will is attached as Exhibit "2."

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master amends her prior findings and recommendations and now finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **PATRICK K. AKUNA, JR.**

(N) HERBERT SAMUEL KEHAULANI KAOPUA, SR.

Your Master received the Will for Herbert Samuel Kehaulani Kaopua, Sr., dated March 6, 2009, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Herbert S. K. Kaopua, Sr. Revocable Living Trust, dated January 10, 1992, as amended and restated. Both are attached as Exhibit "3."

The Trust indicates that the decedent's surviving spouse, Loretta Medeiros Kaopua, is the next-acting Trustee.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and

convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the *Kalima* settlement proceeds should be distributed to **LORETTA MEDEIROS KAOPUA, Trustee of the Herbert S. K. Kaopua, Sr. Revocable Living Trust, dated January 10, 1992, as amended and restated**, to be distributed in accordance with the terms of the Trust.

(X) SAMUEL DANIEL KUEWA SR.

Lavern Ho, descendant of the decedent, relayed that she has never seen or found a will for the decedent and assumes there was none. Your Master’s findings and recommendations remain the same.

(AA) EDWARD BUMATAY

Your Master received an email from the decedent’s daughter, Debra Kim. She objects to the distribution to the decedent’s surviving spouse. See Exhibit “4.” Your Master responded and explained that the laws of intestacy must control, unless the decedent had a Will or a Trust.

(DD) CLAIRE K. HUEU

Your Master does not alter her findings and recommendations but notes the following spelling corrections:

JAMES KEOLA HUEU IV – ONE-FOURTH (1/4)
JORDAN KALANI HUEU – ONE-FOURTH (1/4)
VANESSA LEOLANI KAAUWAI – ONE-FOURTH (1/4)
ERIC KEALII HUEU – ONE-FOURTH (1/4)

DATED: Honolulu, Hawai‘i, on May 22, 2025.

/s/ Emily H. Kawashima
EMILY H. KAWASHIMA
PROBATE SPECIAL MASTER

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER

OF

THE KALIMA CLASS ACTION
SETTLEMENT TRUST DATED JUNE
23, 2023.

T. No. 1CTR-23-0000142
(Trust Proceeding)

CERTIFICATE OF SERVICE

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The undersigned hereby certifies that a file-marked copy of the foregoing document will be duly served by depositing the same in the United States Mail, postage prepaid, on the following identified interested persons.

YOLANDA P. AKUNA
275 Meadow Lane
Killeen, Texas 76542

PATRICK K. AKUNA JR.
275 Meadow Lane
Killeen, Texas 76542

YOLANDA J. THOMAS
87-111 Kulaaupuni Street Unit 1
Waianae, Hawaii 96792

CHARLES A.P. AKUNA
18924 Old Highway 25 North
Fulton, Mississippi 38843

LORETTA M. KAOPUA
98-1746 Nahele Street
Aiea, Hawaii 96701

HERBERT S.K. KAOPUA, JR.
41-257 Kauholokahiki Street
Waimanalo, Hawaii 96795

JASON KAOPUA
1845 W 525 S
Orem, Utah 84059-2626

SHANE KAOPUA
1845 West 525 South
Orem, Utah 84059

LAVERN K. HO
41-235 Kaai Street
Waimanalo, Hawaii 96795

CAROL KUEWA
760 Bluebell Place, Apt. 1103
Ponderay, Idaho 83852

CY ORNONG
85-1016 Kaneilio Place
Waianae, Hawaii 96792

TRACY ORNONG
8405 Evening Star Drive
Rowlett, Texas 75089

MARIE BUMATAY
839 Railroad Avenue
Hilo, Hawaii 96720

DEBBIE COLLINS
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Pahoa, Hawaii 96778

DEBRA KIM
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MAHEALANI KAUAHI
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JORDAN KALANI HUEU
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Wailuku, Hawaii 96793

VANESSA LEOLANI KAAUWAI
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Las Vegas, Nevada 89106

ERIC KEALII HUEU
310 Keanae Road
Haiku, Hawaii 96708

DATED: Honolulu, Hawaii, May 22, 2025.

/s/ Emily H. Kawashima

EMILY H. KAWASHIMA

Probate Special Master