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Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
16-JAN-2025
08:30 AM
Dkt. 849 SUP

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)

**SECOND SUPPLEMENT TO PROBATE
SPECIAL MASTER'S REPORT RE:
PETITION FOR INSTRUCTIONS #16,
FILED DECEMBER 3, 2024; EXHIBITS
"1" – "2"; CERTIFICATE OF SERVICE**

Hearing:

Date: January 10, 2025

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**SECOND SUPPLEMENT TO PROBATE SPECIAL
MASTER'S REPORT RE: PETITION FOR INSTRUCTIONS #16**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #16, filed December 3, 2024 (the "Petition"), and respectfully submits this Second Supplement to Probate Special Master's Report #16, filed on December 23, 2024.

(A) ROSEMARY MALIA CABILES

The Court requested clarification about descendant "Jeanie Beyers." Jeanie is the same as Gaylynn Beyers. Gaylynn/Jeanie is the daughter of Emily Nakabayashi, who was the now-

deceased surviving spouse of Raymond Nakabayashi. Attached is Emily Nakabayashi's obituary, which demonstrates this alias. A true and correct copy is attached as Exhibit "1".

Based on this additional information, your Masters findings and recommendations remain the same.

(Q) FRANCIS HUTCHISON WRIGHT

Your Master reviewed the Last Will and Testament of Francis H. Wright, dated June 30, 1998, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Francis H. Wright Revocable Living Trust, dated June 30, 1998.

The Trust indicates that Helen N. Wright is the next-acting Trustee. Copies of the Will and the Short Form Trust are 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 previous findings and recommendations and finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **Helen N. Wright Trustee of the Francis H. Wright Revocable Living Trust dated June 30, 1998**, to be distributed in accordance with the terms of the Trust.

DATED: Honolulu, Hawai'i, on January 16, 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

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

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

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

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.

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DATED: Honolulu, Hawaii, January 16, 2025.

/s/ Emily H. Kawashima
EMILY H. KAWASHIMA
Probate Special Master