

**Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
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Dkt. 514 ERRAT**

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)

ERRATA TO ORDER GRANTING
PETITION FOR INSTRUCTIONS #6

HEARING:

DATE: June 21, 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

ERRATA TO ORDER GRANTING PETITION FOR INSTRUCTIONS #6

The Court issues this errata to the *Order Granting Petition for Instructions #6*, filed on August 30, 2024 [Dkt. 474], insofar as Page 2 was inadvertently excluded. Therefore, the Order Granting Petition for Instructions #6 shall read as follows:

The PETITION FOR INSTRUCTIONS #6 filed herein on March 18, 2024 (the "Petition"), came on for hearing on Friday, June 21, 2024, at 10:00 a.m., before the Honorable Jeannette H. Castagnetti, Judge of the above-entitled Court. Petitioner, SCOTT C. SUZUKI, ESQ., Probate Special Counsel in Kalima v. Hawaii, Civil No. 99-4771-12 LWC filed in the Circuit Court of the First Circuit, State of Hawaii (hereinafter "*Kalima*") appeared. EMILY H. KAWASHIMA, ESQ., Probate Special Master in *Kalima*, appeared.

The Court having reviewed the documents filed herein and having considered the representations of the parties, counsel, and good basis appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

A. Jurisdiction and venue are proper;

B. The PETITION FOR INSTRUCTIONS #6 is hereby granted, subject to the findings and recommendations of the Probate Special Master in the Probate Special Master's Report Re PETITION FOR INSTRUCTIONS #6 filed herein on or about May 16, 2024;

C. A basis exists for instructions regarding the administration of THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023;

D. The Trustee shall distribute the settlement proceeds derived from the Deceased Class Members' interests in *Kalima*, as described in the PETITION FOR INSTRUCTIONS #6 filed herein on March 18, 2024, from THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023, as recommended by the Probate Special Master, as follows:

(A) **HELEN H. DAVIS**

ROBERT L. DAVIS - ONE-THIRD (1/3)
ANDREW K. DAVIS - ONE-THIRD (1/3)
CECILIA H. GALLARDE - ONE-THIRD (1/3)

(B) **CLARA KUULEIALOHA HOAPILI**

JOANNE L. KIM - ONE-TENTH (1/10)
JONAH K. HOAPILI, JR. - ONE-TENTH (1/10)
ROBIN L. TUPA - ONE-TENTH (1/10)
TODD A. HOAPILI - ONE-TENTH (1/10)
CANDYCE N. GARRETT-TUPA - ONE-TENTH (1/10)
MELODY K. SALE - ONE-TENTH (1/10)
TRACEY H. FRAGOSO - ONE-TENTH (1/10)
MATTHEW S. HOAPILI - ONE-TENTH (1/10)
JEFFREY S. HOAPILI - ONE-TENTH (1/10)
ERIC GMC HOAPILI - ONE-TENTH (1/10)

(C) **GILBERT KAHELE**

LINDA LEE KAHELE, as Personal Representative of the Estate of GILBERT KAHELE - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(D) **HALL EPHRAIM KAIWA**

MINDY KAIWA - ONE-FOURTH (1/4)
KELLY KAIWA - ONE-FOURTH (1/4)
TRACY W. KAIWA-AALONA - ONE-FOURTH (1/4)
CASEY KAIWA - ONE-FOURTH (1/4)

(E) **GEORGE K. KIPAPA, JR.**

PRISCILLA H. KIPAPA - ALL (100%)

(F) **JAMES CARLISLE HEGERFELDT**

GRETA K. HEGERFELDT - ALL (100%)

(G) **TAMMY KUUIPO-NOHEA KE**

HOPE KE-LEIBNER - ONE-THIRD (1/3)
JOHN KUUALOHAKANE KE - ONE-THIRD (1/3)
SKY KE - ONE-THIRD (1/3)

(H) **RITA THERESA NOHOPAO MAHAULU**

MARIAN KEKULAMANU GAEA - ONE-FOURTH (1/4)
DEREK KEALII MAHAULU - ONE-FOURTH (1/4)

CLAYTON PINIALUA MAHAULU - ONE-FOURTH (1/4)
BERTRAM KAKULU MAHAULU - ONE-FOURTH (1/4)

(I) **WALTER ALEONG MOKULEHUA JR.**

KAALA J. MOKULEHUA - ALL (100%)

(J) **CLIFFORD PRAIS**

ELLEN R. PRAIS, as Personal Representative of the Estate of CLIFFORD PRAIS - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(K) **FRANCIS AWAA HUI**

SANDRA E. AH SAM - ONE-THIRD (1/3)
DOROTHY L. HUI - ONE-THIRD (1/3)
FRANCIS K. HUI - ONE-THIRD (1/3)

(L) **SIDNEY KALEILEHUA SPENCER**

KARAN S. SPENCER - ALL (100%)

(M) **ALBERT KAENAKAPUOKALANI WALTJEN**

DANE K. WALTJEN, as Personal Representative of the Estate of ALBERT KAENAKAPUOKALANI WALTJEN - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(N) **KALEPAOKEKAIKUHALA HUDDY MOCK SING LUM**

WILETTE LEILANI LUM - ALL (100%)

(O) **LOVELL FRANKLIN KALEIKINI**

CRAIG C.K. KALEIKINI, as Personal Representative of the Estate of LOVELL FRANKLIN KALEIKINI - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(P) **JOHANNA ELIKOLANI CORREA**

EDWARD L. CORREA JR. - ALL (100%)

(Q) **BERNICIA KAOPIO**

MATTHEW K. KAOPIO, SR. - ALL (100%)

(R) **LEROY K. PUKAHI, JR.**

AGNES K. PUKAHI, as Personal Representative of the Estate of LEROY KEAWE PUKAHI, JR. - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(S) **RANDOLPH MEDEIROS**

TIARE M. KEALOHA - ONE-THIRD (1/3)
JUSTIN K. MEDEIROS - ONE-THIRD (1/3)
SAVANNAH MEDEIROS - ONE-SIXTH (1/6)
DOMINICK HOWARD - ONE-SIXTH (1/6)

(T) **MARSHALL ALLEN MEYER SR.**

SUSAN KAOHU MEYER - ALL (100%)

E. Upon filing proof that the distributions set forth herein have been made, the beneficiaries' interests in the Trust shall be fully satisfied and the Trustee shall have no further responsibility or liability with respect to such beneficiaries;

F. Fees to Probate Special Counsel, SCOTT C. SUZUKI, ESQ., in the amount of **\$11,567.00**, plus general excise tax (4.712%) thereon in the amount of **\$545.04**, plus costs in the amount of \$2,627.98, of which \$2,304.11 were paid from the Client Trust Account and **\$323.87** were advanced and can be reimbursed. The grand

total to be paid to SCOTT C. SUZUKI, ESQ. is **\$12,435.91** and this amount is approved;

G. Fees to Probate Special Master, EMILY H. KAWASHIMA, ESQ., in the amount of **\$7,170.00**, plus general excise tax (4.712%) thereon in the amount of **\$337.85**, plus costs in the amount of **668.94**, for a grand total of **\$8,176.79**, are approved;

H. There being no just reason for delay, judgment shall be entered herein pursuant to Rule 34(a) of the Hawaii Probate Rules and 54(b) of the Hawaii Rules of Civil Procedure.

DATED: Honolulu, Hawaii, September 11, 2024.

/s/ Jeannette H. Castagnetti



Judge of the Above-Entitled Court_{cm}

T. No. 1CTR-23-0000142 (Trust Proceeding); IN THE MATTER OF THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023; ERRATA TO ORDER GRANTING PETITION FOR INSTRUCTIONS #6.