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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 #23,
FILED AUGUST 14, 2025; EXHIBITS
"3" – "4"; CERTIFICATE OF
SERVICE**

Hearing:

Date: October 17, 2025

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**FIRST SUPPLEMENT TO PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #23**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate
Special Master to examine the Petition for Instructions #23, filed August 14, 2025 (the
"Petition"), and respectfully submits this First Supplement to her Report.

(E) **WALTER SCOTT ADAMS**

Your Master reviewed the facts contained in Petition #23, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Sylvia Au Hoy, also known as Sylvia Au Adams. There was no will or trust submitted. Your Master spoke to Sylvia Adams who confirmed that her husband did not have a will or trust. She also informed that Cole Adams, Roxanne Adams and Scott Adams are her biological children with the decedent. Kealaokamaileanakea Adams, Kawehi Adams, Kamahina Adams, Kaulupamahealohou Adams and Kamaka Adams are the biological children of Scott Adams. However, the decedent and Sylvia legally adopted all of them except for Kamahina, for whom they were legal guardians.

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount. 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 disbursed to the decedent's surviving spouse,

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 surviving spouse,
SYLVIA AU ADAMS.

(J) MATHILDA M. ADOLPHO

Your Master corrects the last name of heir **RITA JEAGAR to RITA JAEGER** and corrects her address to: 6115 S. 114th East Avenue, Broken Arrow, Oklahoma 74012.

(K) ABIGAIL MARY ANN STEWART

Your Master corrects the middle initial of heir **AGNES V. FERREIRA to AGNES S.**
FERREIRA

(R) NORMA LEE KAWAILANI KAMA

Your Master has received additional information regarding the heirs of Edmund Kama, who was the deceased class member's surviving spouse at the time of her death. Your Master would like to acknowledge and thank descendant Jamie Fields, who greatly assisted in providing information and death certificates as well as the Probate Special Counsel for assisting in calculating the percentages for the heirs.

As noted previously, Edmund and Norma Kama did not have descendants. Under the laws of intestacy, the heirs of Edmund Kama would be his siblings. Edmund Kama had 12 siblings, five of whom are now living. One of the deceased siblings, Harriet Kama, died as an infant so she is not allocated a share of Edmund's intestate estate. Therefore, Edmund's estate is to be divided between the 11 siblings by representation. The five surviving siblings will each receive 1/11 or 9% of the settlement funds. Their generation collectively will receive 5/11 or 45.45% of the total settlement for the decedent.

The remaining 6/11, or 54.55% of the settlement is to be re-accumulated and divided equally among the next generation, which includes the descendants of the six siblings who predeceased Edmund Kama. Each of six predeceased siblings shall be addressed in turn:

1) Benjamin Kama died in 2007 and was survived by his son, Benjamin Kama, III, who died in August 2025. Benjamin Kama, III is an heir of Edmund because he survived the vesting date (*i.e.*, Edmund's date of death). Because Benjamin Kama, III is now deceased, his estate would further govern his interest. Benjamin Kama, III, died intestate, was unmarried but was survived by his daughter, Kealohilani Kama-Hosea. Therefore, she will receive her father's share.

2) David H. Kama died in 2021 and had a total of 11 children. One of his children, Davelyn M. Dust, died two days after her father. Under HRS §560:2-104, because Davelyn did not survive her father for one hundred twenty hours or more, she is considered to have predeceased him. Davelyn was married at the time of her death but did not have any descendants. Therefore, David H. Kama's surviving 10 children will be heirs of Edmund to receive this interest.

3) Josephine Beltran died in 2006 and was survived by her three children, Josephine Beltran, David Beltran and Dominador Beltran.

4) Peter I. Kama died in 2014 and was survived by four children, Peter Kama, Jr., Mark Kama, Russell Kama and Renee Kama.

5) Eliza Pouliva'ati died in Oregon (death certificate is pending) and was survived by her daughter Dorcas Pouliva'ati.

6) Samuel Kama died in 2012 and was survived by five children, Samuel Kama, Jr., Samson Kama, Sanford Kama, Sandee Moiha and Samantha Kama. Samuel Kama, Jr. died in 2012, and Samson died in 2023. Both left surviving descendants.

While Samuel Kama's five children would have been his heirs, neither Samuel Kama, Jr., nor Samson Kama would be considered heirs of Edmund because neither survived to the vesting date of Edmund's date of death. As they were not "surviving" descendants on that vesting date, neither will be eligible for an interest in Edmund's estate. Instead, the share otherwise allocated to Samuel Kama would be divided into five (5) equal shares. Sanford Kama, Sandee Moiha and Samantha Kama each to receiving one (1) of these five (5) shares.

By representation, the six children of Samuel Kama, Jr. and Samson Kama, are to equally share the remaining two (2) shares. Samuel Kama had two (2) children: Maile Kama and Kalani Kama. Samson Kama had four (4) children: Shaun-Te K. Kama, Shea-Lah K. Kama, Samson K. Kama, Jr. and Stylon K. Kama. Collectively, the two (2) remaining of the five (5) shares of the interest allocated to Samuel Kama will be divided equally among the six (6) descendants: Maile Kama, Kalani Kama, Shuan-Te K. Kama, Shea-Lah K. Kama, Samson K. Kama, Jr. and Stylon K. Kama.

In total, there are 24 surviving descendants in the second generation who will share the $\frac{6}{11}$ or 54.55% of the settlement equally. This equates to $\frac{3}{132}$ or 2.27% of the total settlement for each descendant. Of the 24 surviving descendants, Samuel Kama, Jr. and Samson Kama, predeceased Edmund Kama. They left six descendants in the third generation who will equally share their fathers' shares, which is $\frac{1}{22}$ or 4.55% of the total settlement. Thus, each of the third generation will receive $\frac{1}{132}$ or .757% of the total settlement. See explanatory chart attached as Exhibit "3".

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 as follows:

1. **ELIZABETH H. K. K. HALAHUNI – ONE-ELEVENTH (1/11) or 9%**
2. **RAPHAEL KAMA - ONE-ELEVENTH (1/11) or 9%**
3. **ODELIA K. KAUPU - ONE-ELEVENTH (1/11) or 9%**
4. **ELIJAH E. KAMA - ONE-ELEVENTH (1/11) or 9%**
5. **JAMIE P. K. FIELDS - ONE-ELEVENTH (1/11) or 9%**
6. **KEALOHILANI KAMA-HOSEA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
7. **DAVIANNE KAMA-VALDEZ - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
8. **DAVENAT FERNANDEZ - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
9. **DAVILEIGH NAEOLE - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
10. **DAVEANA KAMA-FISCHER - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
11. **DAVIDEANNE KAMA-SICKELS - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
12. **DAVID KAMA, JR. - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
13. **DAVERINE SASSAMAN - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
14. **DAVILENE KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
15. **JEREMIAH KAMA - THREE-ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
16. **DAVERRY KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
17. **JOSEPHINE BELTRAN - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
18. **DAVID BELTRAN - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
19. **DOMINADOR BELTRAN - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
20. **PETER KAMA, JR. - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
21. **MARK KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
22. **RUSSELL KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
23. **RENEE KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**

24. **DORCAS POULIVA'ATI - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
25. **SANFORD K. KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
26. **SANDEE MOIHA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
27. **SAMANTHA KAMA - THREE ONE HUNDRED THIRTY-SECONDS (3/132) or 2.27%**
28. **MAILE KAMA – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**
29. **KALANI KAMA – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**
30. **SHAUN-TE KAMA – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**
31. **SHEA-LAH KAMA – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**
32. **SAMSON KAMA, JR. – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**
33. **STYLON KAMA – ONE ONE HUNDRED THIRTY-SECOND (1/132) or 0.75%**

(T) WILLIAM KUAMOO HEALANI KAPUNI

Since the filing of the Master's Report, your Master learned that the heir and surviving spouse is a protected person and is represented by Court-Appointed Conservator, Christopher A. Dias. His Letters of Conservatorship, filed on August 30, 2021, is attached as Exhibit "4."

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 disbursed to **CHRISTOPHER A. DIAS, as Conservator for VICTORIA GILLESPIE KAPUNI.**

(V) JAMES KAHUANUI

Your Master spoke to the decedent's son, Kaimana Kahuanui, again who updated that his brother believed that their father and mother divorced. Your Master located a case, 3DV11100301K, *James Kahuanui v. Tema-Layne Kahuanui*. While the decree is sealed, the docket notes that the Complaint for Divorce was granted on October 29, 2012.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

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 findings and recommendations and finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed as follows:

KAIMANA J. KAHUANUI – ONE-THIRD (1/3)
PONO KAHUANUI – ONE-THIRD (1/3)
LOKAHI KAHUANUI – ONE-THIRD (1/3)

(AA) BERNICE BERDON

Your Master was advised that descendant Robyn Fortes' last name should be Fuertes and is noted below.

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 as follows:

ALFREIDA AKAU – ONE-FIFTH (1/5)
CHARMAINE PHILLIPS – ONE-FIFTH (1/5)
CORINNE WELLER – ONE-FIFTH (1/5)
KEHAULANI R. BERDON – ONE-TENTH (1/10)
ROSALINE L. RODRIGUES – ONE-TENTH (1/10)
CHAD TOLENTINO – ONE-FIFTEENTH (1/15)
ROBYN FUERTES – ONE-FIFTEENTH (1/15)
ALFRED BERDON, III – ONE-FIFTEENTH (1/15)

(CC) REGINALD KAIKAPU KALUNA

Your Master received further correspondence from Lisa Labrador who corrected the decedent's son's surviving spouse's name from, **MARIE LEIMOMI DELA CRUZ**, to **MARIE LEIMOMI NIHI**.

(DD) HALEAKALA MILDRED SYLVESTER

Your Master received information noting that descendant **BRENDA KAUINOHEA BALDERSTON** is misspelled as **BRENDA KAWINOHEA BALDERSTON** and asked that the correction be noted. Your Master's findings and recommendations do not change.

DATED: Honolulu, Hawai'i, on October 2, 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

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, October 2, 2025.

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