

NOTICE OF CLASS ACTION SETTLEMENT

**YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE ENTITLED TO A SETTLEMENT
PAYMENT AS A CLASS MEMBER IN
KALIMA v. STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOMELANDS, et al.
Civil No. 99-4771-12-LWC**

This is an official communication of the First Circuit Court and is not a solicitation. You do not have to pay money or take any other action to join this lawsuit.

On June 6, 2022, First Circuit Court Judge Lisa W. Cataldo preliminarily approved a settlement of this case. The class members for this Settlement are

“All persons who filed claims with the Hawaiian Home Lands Trust Individual Claims Review Panel on or before August 31, 1995.”

The following persons will not be entitled to a settlement payment:

- 1) Individuals who did not file a claim with the Panel on or before August 31, 1995.
- 2) Individuals who filed a timely claim with the Panel, but the claim did not assert an individual breach of trust that occurred between August 21, 1959, and June 30, 1988.
- 3) Individuals who filed a timely claim with the Panel, but the claim asserted an individual breach of trust that occurred after June 30, 1988.
- 4) Individuals who filed a timely claim with the Panel, but the claim was not a valid HRS Chapter 674 claim.
- 5) Individuals who filed a timely claim with the Panel but settled their claim.
- 6) Individuals who opted out of the Lawsuit in response to the 2007 class notice.
- 7) Individuals who opted out of the Lawsuit in response to the 2012 class notice.
- 8) Individuals who opt out of the Settlement Class and this Settlement by sending a valid and timely Opt-Out Letter to the Claims Administrator.

If you are a Settlement Class Member, you do not have to take any action at this time for your claim to be considered. However, please provide current contact information by the methods described below.

If you are a relative of a deceased Settlement Class Member, please designate a person to receive information for your family by the methods described below.

You may update your contact information in any of the following four ways:

- Call 808-650-5551 or 833-639-1308; or
- Update your information through the website at <https://www.kalima-lawsuit.com>; or
- Complete and mail back the enclosed Information Request Form; or
- Attend a community meeting to be held in your area or virtually online. Check Important Dates on the website for the meeting schedule, <https://www.kalima-lawsuit.com>.

What does the Settlement provide?

The State of Hawai'i has agreed to create a \$328 million Settlement Fund for the Settlement Class Members. If the Settlement is approved by the Court, Settlement Class Members who have valid claims may be eligible to receive a payment paid out of the Settlement Fund, after payment is made for special master and claims administration costs, attorneys' fees, and a Class Representative Incentive Award. The amount of the settlement payment will be based on an established Court-approved distribution plan. The payment amount cannot be determined at this time, but each Settlement Class Member will be notified at a later date of the following: (1) whether their claim is valid; and, if so, (2) the estimated amount to be paid to that Settlement Class Member under the Settlement.

Please turn this page over to see your legal rights and options.

Your Legal Rights and Options in this Settlement

<p>Right to Payment for Class Members</p>	<p>If you are a Settlement Class Member, you do not have to take any action at this time to receive a settlement payment. The validity of your claim will be determined at a later date. However, please confirm and update your mailing address, telephone number(s), and email address by using the https://www.kalima-lawsuit.com contact information update page OR by mailing the information to the following address:</p> <p>Kalima Claims Administrator P.O. Box 135035 Honolulu, HI 96801</p>
<p>Right to Payment for Deceased Class Members</p>	<p>If you are a relative of a deceased Class Member, please designate someone to represent your family. Please provide your name, mailing address, telephone number(s), and email address by using the https://www.kalima-lawsuit.com contact information update page OR by mailing the information to the following address:</p> <p>Kalima Claims Administrator P.O. Box 135035 Honolulu, HI 96801</p>
<p>If You Wish to Exclude Yourself from Participating in the Settlement</p>	<p>You may exclude yourself from participating in this Settlement. If you do so, you will not receive a payment from the Settlement Fund. You will retain any claims you may have against the State of Hawai'i and the Released Parties (as that term is defined in the Settlement Agreement) and are free to pursue whatever legal right you may have at your own risk and your own expense.</p> <p>To exclude yourself from the Settlement, you must mail a signed letter to the Claims Administrator at Kalima Settlement, P.O. Box 135035, Honolulu, Hawai'i 96801, postmarked by December 15, 2022. The exclusion letter must state that you exclude yourself from this Settlement and must include the name and case number of this litigation as well as your full name, address, telephone number, a statement that you wish to be excluded, and your signature.</p> <p>If you wish to exclude the claims of a deceased class member, you must obtain probate court approval appointing you as the personal representative of the estate.</p> <p>If you intend to file a separate lawsuit, limitations periods may bar your claim if it is not timely filed. Any separate lawsuit should be filed before April 14, 2023, to ensure it falls within the potential statutory limitations period. Please consult with a lawyer about filing your claim.</p>
<p>If You Wish to Object</p>	<p>You may file an objection if you wish to object to the Settlement. The deadline to object to the Settlement is March 15, 2023.</p>

Inā makemake 'oe i kēia 'ōlelo hō'ike ma ka 'ōlelo Hawai'i, e kelepona mai, 808-650-5551 ai'ole 833-639-1308.

Please do not call the Judge, the Clerk of the Court, or the State of Hawai'i about this case. They will not be able to give you advice about this case. If you have questions, please call 808-650-5551 OR 833-639-1308 .

NOTICE: The attorneys and other people working on this case will never ask you for your banking or other financial information. You may be asked to verify your identity.

**THIS IS AN OFFICIAL NOTIFICATION OF THE FIRST CIRCUIT COURT –
PLEASE DO NOT CONTACT THE COURT.**