

EMILY H. KAWASHIMA, 6498-0  
AAL, LLLC

Topa Financial Center  
700 Bishop Street, Suite 1700  
Honolulu, Hawai'i 96813  
Telephone No.: (808)744-4688  
Facsimile No.: (888)777-5405  
E-mail: emily@kawashimalaw.com

**Electronically Filed**  
**FIRST CIRCUIT**  
**1CTR-23-0000142**  
**27-AUG-2024**  
**03:46 PM**  
**Dkt. 464 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)

**FIRST SUPPLEMENT TO PROBATE  
SPECIAL MASTER'S REPORT RE:  
PETITION FOR INSTRUCTIONS #9,  
FILED MAY 24, 2024; EXHIBITS  
"1" – "2"; CERTIFICATE OF SERVICE**

Hearing:

Date: September 13, 2024

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**FIRST SUPPLEMENT TO PROBATE SPECIAL  
MASTER'S REPORT RE: PETITION FOR INSTRUCTIONS #9**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate  
Special Master to examine the Petition for Instructions #9, filed May 24, 2024 (the "Petition"),  
and respectfully submits this First Supplement to the Report filed on August 13, 2024.

(E) **WILLIAM K. DANA**

On or about August 21, 2024, your Master received an email from attorney, Sheryll Bonilla, Esq., including a number of attachments. She provided copies of the Order Granting Petition for Adjudication of Intestacy, Judgment on the Order, and three disclaimers, all filed in Probate No. 3CLP-23-0000376 and collectively attached as Exhibit “1.”

Your Master explained to Ms. Bonilla, that the most recent version of the Uniform Probate Code applies to those estates with decedents who died on or after July 31, 2023. Since this decedent died in 2008, the prior UPC would apply as set forth in the Petition and the Master’s Report. Ms. Bonilla requested that the Order from the Third Circuit be applied, which applies the current version of HRS §560:2-102. Your Master maintains that the Order is incorrect. On or about August 23, 2024, Yolanda Dana notified Ms. Bonilla and your Master that she does not oppose the original recommendations of the Master.

On the basis of the foregoing, your Master’s finding and recommendation remain that this deceased class member’s share of the *Kalima* settlement proceeds should be distributed as follows:

**YOLANDA ELENA LOBATO DANA - \$100,000, plus ONE-HALF (1/2) of the balance**

**KANOELANI DANA – ONE-SIXTH (1/4) of the balance**

**KANANI DANA – ONE-SIXTH (1/4) of the balance**

(W) **MYRTLE KUULEIALOHA PUNG**

Subsequent to the filing of your Master’s report, a copy of the Joseph Pung 2011 trust, dated July 12, 2011, was provided and is attached as Exhibit “2.” CARMELA BOTEILHO is named as the next Successor 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 submitted Trust document, your Master amends her previous findings and recommendation and finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **CARMELA BOTEILHO, Successor Trustee of the Joseph Pung 2011 Trust, dated July 12, 2011.**

DATED: Honolulu, Hawai'i, on August 27, 2024.

/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.

**ALLISON KA'ILIHWA VAUGHAN-DARVAL**  
c/o Michael John Madison, Esq.  
6600 Kalaniana'ole Hwy., Suite 114  
Honolulu, Hawaii 96825

**KILIPAKI K.F. VAUGHAN**  
P.O. Box 272  
Kilauea, Hawaii 96754

**KANOHEAIKALANI HEMOLELE S. VAUGHN**  
813 Haawi Street  
Wailuku, Hawaii 96793

**HERBERT EDDIE OLIVERA**  
344-B Kawainui Street  
Kailua, Hawaii 96734

**MIRANDA M. CARDONA**  
46-229 Kahuhipa Street Apt. C501  
Kaneohe, Hawaii 96744

**MICHELE P. KAHALEWAI**  
91-1090 Koanimakani Street  
Kapolei, Hawaii 96707

**YOLANDA ELENA LOBATO DANA**  
c/o Sheryll D. Bonilla Esq.  
314 Allen Street  
Lansing, Michigan 48901

**KANOELANI DANA**  
P.O. Box 954  
Kurtistown, Hawaii 96760

**KANANI DANA**  
4 Forest Lane Way, Apt. 2410  
Toronto, Ontario Canada M2N5X8

**CORINE K.S.L.K. POKIPALA**  
2115 Tantalus Drive  
Honolulu, Hawaii 96813

**LOUISE M.L.Y. KAM**  
1038 3<sup>rd</sup> Avenue  
Honolulu, Hawaii 96816

**JOSEPH K.H. KAM JR.**  
3317 Mooheau Avenue  
Honolulu, Hawaii 96816

**DAVID R. LOPES**  
2427 Maunalaha Road  
Honolulu, Hawaii 96822

**WILFRED A. LOPES, JR.**  
2427 Maunalaha Road  
Honolulu, Hawaii 96822

**CLIFFORD P. LOPES**  
2427 Maunalaha Road  
Honolulu, Hawaii 96822

**JAMES K. EMMSLEY**  
1684 Komo Mai Drive  
Pearl City, Hawaii 96782

**LIANE U. EMMSLEY**  
1481 Palm Street, Unit 216  
Las Vegas, Nevada 89194

**BARBARA J. HELENIHI**  
94-875 Kuhaulua Street Apt. 263  
Waipahu, Hawaii 96797

**LAVERNE L. MATANANE**  
92-754 Palailai Street  
Makakilo, Hawaii 96707

**CHRISTINE T.K. WADDLE**  
P.O. Box 818  
Duschene, Utah 84021

**MALINDA HALIA MAHI**  
2930 W 66<sup>th</sup> Street  
Tulsa, Oklahoma 74132

**MARY LOCKEY TIRADO-GORAVICA**  
21138 W. Chastworth Lane  
Plainfield, Illinois 60544

**BEATRICE J. HEW LEN**  
86-303 Hokupaa Street  
Waianae, Hawaii 96792

**ZELDA-MAY K. KALILIKANE**  
P.O. Box 187  
Maunaloa, Hawaii 96770

**DENISE K. HEW LEN**  
91-2047 Kailoi Street #2601  
Ewa Beach, Hawaii 96706

**ROBERTA P. KALUAU**  
c/o David B. Kaapu, Esq.  
75-5751 Kuakini Hwy., Suite 201  
Kailua-Kona, Hawaii 96740

**RONALD HAMMACK**  
63341 East 330 Road  
Jay, Oklahoma 74346

**LAURIE H. EMMSLEY**  
87-1621 Kanahale Road, Unit A  
Waianae, Hawaii 96792

**KARALYNNE EMMSLEY**  
94-1060 Waipahu Street, Apt. 101  
Waipahu, Hawaii 96797

**LORETTA L. SPENCER**  
94-273 Hiwahiwa Place  
Waipahu, Hawaii 96797

**CECELIA J. SASAKI**  
94-1026 Hiapo Street  
Waipahu, Hawaii 96797

**BRIDGET A. HAMMACK**  
7025 S Joplin Avenue #206  
Tulsa, Oklahoma 74136

**PETRONILO M. GARCES**  
P.O. Box 603  
Wailuku, Hawaii 96793

**ALNA L. MECHAM**  
P.O. Box #148  
Kekaha, Hawaii 96752

**DAMIEN K. GARCES, SR.**  
P.O. Box 1039  
Kaunakakai, Hawaii 96748

**WILLIAM KAM CHIN HEW LEN**  
5138 W. Esposito Avenue  
Las Vegas, Nevada 89141

**ELIANA M. KALILIKANE-GARCES**  
P.O. Box 187  
Maunaloa, Hawaii 96770

**DUANE KAM KWAI HEW LEN**  
86-303 Hokupaa Street  
Waianae, Hawaii 96792

**HERBERT SUNN HOOK HEW LEN**  
86-303 Hokupaa Street  
Waianae, Hawaii 96792

**HOLLY P. KALUAU KALWA**  
74 400 Naulu Place  
Kailua-Kona, Hawaii 96740

**KENJI ENOMOTO**  
240 Kilioopu Street  
Wailuku, Hawaii 96793

**NAOMI ARAKI**  
339-A Leleihoku Street  
Wailuku, Hawaii 96793

**FLORENCE P. NICHOLAS**  
2152 Kanealii Avenue  
Honolulu, Hawaii 96813

**JOY UILANI LUTA**  
P.O. Box 437474  
Kamuela, Hawaii 96743

**DANIEL D.K. NICHOLAS**  
94-1007 Akihiloa Street  
Waipahu, Hawaii 96797

**ROBERT ALLEN CAMP**  
1719 Nuuanu Avenue, Apt. 1C  
Honolulu, Hawaii 96817

**BETTY JANE KNUPP**  
4654 S. 65<sup>th</sup> W Avenue  
Tulsa, Oklahoma 74107

**BRIAN M. SPENCER**  
86-305 Hokuukali Place  
Waianae, Hawaii 96792

**RICHARD W. PUNG**  
861 Kupulau Road  
Hilo, Hawaii 96720

**CAROLINE MANNER**  
14 White Tail Ct  
Henderson NV 89074

**RONNIE SUE O'HERIN**  
63001 East 330 Road  
Jay, Oklahoma 74136

**NOELANI ALMEIDA**  
616 Kaae Place  
Wailuku, Hawaii 96793

**DARRIN KAMP PUNG HEW LEN**  
87-149 Pualeilani Street  
Waianae, Hawaii 96792

**CECILIA VISTA**  
P.O. Box 880136  
Pukalani, Hawaii 96788

**LOUELLA NOELANI SPENCER SCHUTTE**  
P.O. Box 506  
Kamuela, Hawaii 96743

**HANNAH CARVALHO-ANTONIO**  
55 Kumano Drive  
Makawao, Hawaii 96768

**CYNTHIA M. SPENCER**  
P.O. Box 6387  
Kamuela, Hawaii 96743

**PEARL T. SPENCER**  
94-1080 Poe Place  
Waipahu, Hawaii 96797

**ALLYN APELAHAMA SPENCER**  
64434 Waiahu Street  
Kamuela, Hawaii 96743

**BOBBY CURTIS SEABOURN**  
63341 East 330 Road  
Jay, Oklahoma 74346

**CARMELA BOTEILHO**  
P.O. Box 626  
Honokaa, Hawaii 96727

**ADAM MANALO-CAMP**  
4842 Nara Vista Way, Unit 201  
Las Vegas, Nevada 89103

**ARLENE MANNER**  
9257 William Hill Ave  
Las Vegas, NV 89148

**CHARLENE MOANIKEALA  
SCHAEFFER**  
2381 Lansdowne Place  
Vallejo, California 94591

**JOHN KAIPO OKU**  
45602 Kipawale Place  
Kaneohe, Hawaii 96744

**CULLEN KEOPIKAI SPENCER**  
P.O. Box 1186  
Kamuela, Hawaii 96743

**SERENA MANNER**  
85-757 Lihue Street  
Waianae HI 96792

**DAVID H. CHANG**  
P.O. Box 2824  
Frisco, Texas 75034

**DENIS VALENTE, JR.**  
P.O. Box 386  
Makawao, Hawaii 96768

**STERLENE MOKIHANA SPENCER  
PALMERTON**  
91-1016 Kawehoalani Street  
Kapolei, Hawaii 96707

**MAMO M. TABANGCURA**  
931 Peach Street  
Wahiawa, Hawaii 96786

**ELLDAN PUNG**  
50 Maile Street, Apt. 44  
Hilo, Hawaii 96720

**SAMMIE J. PUNG**  
P.O. Box 971  
Honokaa, Hawaii 96727

**ROBERT K. DELAURA**  
2324 Camelback Drive  
Antioch, California 94509

**FIERRY V. PUNG**  
P.O. Box 1216  
Keauu, Hawaii 96749

**IGNACIO MACARIO ESTEVEZ**  
1168 Zurich Court  
San Jose, California 95132

**DONNA PUNG**  
50 Maile Street, Apt. 44  
Hilo, Hawaii 96720

**KAU'I NOELANI BURGESS**  
94-1034 Kaaholo Street  
Waipahu, Hawaii 96797

**DALLAS H. CHANG**  
6061 Banbury Street  
San Diego, California 92139

**PATRICK OKU**  
89-320 Kawao Avenue  
Waianae, Hawaii 96792

**MELONEY LEILANI KAI**  
9145 S. Las Vegas Blvd. 1022  
Las Vegas, Nevada 89123

**DWIGHT H. CHANG**  
240 Burt Street Apt. 182  
Santa Rosa, California 95407

**DOUGLAS H. CHANG, JR.**  
2105 Bryan Street  
Melbourne, Florida 32901

**SANDRAANN L. PECKENPAUGH**  
14878 S.E. 279<sup>th</sup> Place  
Kent, Washington 98042

**ERNEST DELAURA, JR.**  
1827 Camino Estrada  
Concord, California 94521

**KALANI LEE**  
95-741 Makaunulau Street  
Mililani, Hawaii 96789

**DARCY L. PUNG**  
P.O. Box 835  
Honokaa, Hawaii 96727

**HERBERT E. OLIVERA JR.**  
94-519 Meaaina Place  
Waipahu, Hawaii 96797

**LINDA M. OLIVERA**  
344B Kawainui Street  
Kailua, Hawaii 96734

**JENNIFER LYNN HOKULANI MANNER**  
85-757 Lihue Street  
Waianae, Hawaii 96792

**RORY D. PUNG**  
c/o SAMMIE J. PUNG, Guardian  
P.O. Box 971  
Honokaa, Hawaii 96727

**DONALD P.K. KAUWE**  
16 Iliahi Street, Apt. A  
Honolulu, Hawaii 96817

**KIM KALEINOHEA SPENCER**  
94-1008 Hoohele Street  
Waipahu, Hawaii 96797

**SHAD MANNER**  
94-201 Pupuole Street  
Waipahu, Hawaii 96797

**HILLARY MANNER**  
4711 Stephanie Street  
Las Vegas NV 89122

**LYNN HEALANI SPENCER HERNANDEZ**  
91-1128 Kaupea Street  
Kapolei, Hawaii 96707

**NOBEL'ENE LEILANI SPENCER**  
94-273 Hiwahiwa Place  
Waipahu, Hawaii 96797

**CELESTE K. KUMALAE**  
P.O. Box 922  
Kamuela, Hawaii 96743

**MONICA P. ESTEVEZ**  
1168 Zurich Court  
San Jose, California 95132

**ANUHEA KAMAILE LEWIS**  
P.O. Box 6241  
Kamuela, Hawaii 96743

**POLIANN NOELANI LEMASTER-TIPPMAN**  
106 Dove Court  
Vacaville, California 95687

**DAWN K. MANNER**  
10115 Jeffreys Street, Apt. 2160  
Las Vegas, Nevada 89183

**KENNETH D. KAUWE**  
1663 Liholiho Street #3  
Honolulu, Hawaii 96822

**JOSEPHINE K. DELAURA-ROGERS**  
105 Dartmouth Avenue  
Vallejo, California 94589

**GAIL KALEINOHEA SPENCER**  
91-0654 Wehelani Street  
Waipahu, Hawaii 96797

**LAURA MANNER**  
9643 Spring Harvest  
San Antonio TX 78254

**YVONNE L.K. MAMRIL**  
19509 99<sup>th</sup> Street Ct. E  
Booney Lake, Washinton 98397

**MURRAY A. COMPOC**  
701 Binghampton Street SE  
Rainier, Washington 98576

**MAHALO POCOCK**  
P.O. Box 608  
Kula, Hawaii 96790

**PHILLIP C. MURRAY**  
938 2<sup>nd</sup> Street  
Pearl City, Hawaii 96782

**MICHELLE H. ESTEVEZ**  
1168 Zurich Court  
San Jose, California 95132

**WILLIAM S. FERNANDEZ JR.**  
91-1052 Kawahuna Street  
Kapolei, Hawaii 96707



**CLAUDE P.K. FERNANDEZ**  
86-305 Hokuaiaina Place  
Waianae, Hawaii 96792

**LUANA L. OGI**  
P.O. Box 735  
Kamuela, Hawaii 96743

**JAMES LLOYD KAUWE**  
1663 Liholiho Street #3  
Honolulu, Hawaii 96822

**IGNACIO M. ESTEVEZ, JR.**  
1168 Zurich Court  
San Jose, California 95132

**ANN-CHARLOTTE K.L. DELA PENA**  
P.O. Box 6443  
Kamuela, Hawaii 96743

DATED: Honolulu, Hawaii, August 27, 2024.

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