

SCOTT C. SUZUKI, ATTORNEY AT LAW

SCOTT C. SUZUKI #8181
NICOLE C. EDWARDS-MASUDA #10287
1013 Poha Lane
Honolulu, Hawaii 96826
Telephone: (808) 983-3850
Facsimile: (808) 983-3851

**Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
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Probate Special Counsel

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)

ORDER GRANTING PETITION FOR
INSTRUCTIONS #1

HEARING:

DATE: March 15, 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

PLEASE NOTE CHANGES

ORDER GRANTING PETITION FOR INSTRUCTIONS #1

The PETITION FOR INSTRUCTIONS #1 filed herein on January 2, 2024 (the "Petition"), came on for hearing on Thursday, March 15, 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 #1 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 #1 filed herein on or about March 1, 2024, as supplemented on March 11, 2024, and as further supplemented on April 1, 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 #1 filed herein on January 2, 2024, from THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023, as recommended by the Probate Special Master, as follows:

A. CHARLES KAUHIAIMOKUAKAMA AHLO

1. VICKI E. ULSH - ONE-HALF (1/2)

2. ELDRED AHLO - ONE-HALF (1/2)

B. EDWARD KEHOA AHUNA, JR. - STRICKEN

C. DANDELIN AI - STRICKEN

D. RAVILAND AI - STRICKEN

E. STEVEN AWAI AIPA

1. WILHELMINA L. AKINA (formerly known as
WILHELMINA L. AIPA) - 1/2
2. WALTER K. AIPA - 1/12
3. PAULA-JEAN L. YOUNG - 1/12
4. PAUL C. DAY - 1/12
5. JACOB L. MAGARRO - 1/12
6. RYAN KALAAU - 1/12
7. E.A., A MINOR CHILD - 1/24
8. M.A., A MINOR CHILD - 1/24

F. LOUIS KALIHILIHULAOKALANI AKANA, JR.

1. ANNTONETTE K. AKANA - 100%

G. EARL NATHAN BELL

1. GENESIS BELL - 100%

H. FRANCES KAIPOLEIMANU BRAND

1. BARBARA MIKIALA BRAND - ONE-THIRD (1/3)
2. KRAUTH O. BRAND - ONE-THIRD (1/3)
3. MARJORIE S. WHITE - ONE-THIRD (1/3)

I. BLANCHE LAUAE CHING

1. RAYMOND KAIPO CHING, Personal Representative
of the Estate of Blanche Lauae Ching, also
known as Blanche L. Mahoney, and Blanche Lauae
Mahone Ching, Deceased - 100% to be

distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. CM

J. GRACE KA`OLINONANIKAPONO FITZGERALD

1. FLOYD JEFFERSON PIPIKANE FITZGERALD - 100%

K. CLAYTON KAOAO FORSYTHE

1. KRISTINE HAWKINS FORSYTHE, the Trustee of the Akama Trust, dated December 18, 2015 - 100% to be distributed by said Trustee in accordance with the provisions of the Trust. CM

L. EDWARD WILLIAM FORSYTHE

1. RONETTE K. F. TAEOALII, Successor Personal Representative of the Estate of Edward William Forsythe, also known as Edward W. Forsythe, Deceased - 100% to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. CM

M. ORLANDO EUSEBIO GANTE

1. ELSIE S. GANTE, Personal Representative of the Estate of Orlando Eusebio Gante aka Orlando E. Gante aka Orlando Gante, Deceased - 100% to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. CM

N. LAWRENCE EARL JOAO

1. FLORENCE N. BUSH - ONE-SEVENTH (1/7)
2. PEARL K. SANCHEZ - ONE-SEVENTH (1/7)
3. GUSSIE M. DUDOIT - ONE-SEVENTH (1/7)
4. VANESSA-ANN L. JOAO - ONE-SEVENTH (1/7)
5. JONETTE M. VISE - ONE-SEVENTH (1/7)
6. RAYNETTE K. SAMUELSON - ONE-SEVENTH (1/7)

7. ISAAC T. JOAO - ONE TWENTY-EIGHTH (1/28)
8. JESSE C. JOAO - ONE TWENTY-EIGHTH (1/28)
9. HANAKEAKUA JOAO FARQUHAR - 1/28
10. KALALANIAMAKALII JOAO - 1/28

O. DAVID KALANI JOSIAH, SR.

1. COOKIE K. JOSIAH, Personal Representative of the Estate of David Kalani Josiah. Sr., also known as David K. Josiah, Sr., and David Josiah, Sr. - 100% to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. CM

P. PATRICIA PUALANI KUKONA

1. NORMAN QUINTIN KUKONA - 100%

Q. MARY ANN NEULA LIM

1. DONNA M. AMINA, Personal Representative of the Estate of Mary Ann Neula Lim, also known as Mary A.N. Lim and Mary Lim - 100% to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. CM

R. JOSEPH WILLIAM PAAKAULA NAKOA

1. ROSEMARIE NAKOA aka ROSE M. NAKOA - 100%

S. JACOB IAKOBA PUA

1. BETTY K. PUA - 100%

T. IWALANI LUKE RUDDLE

1. LUKELA DONNE RUDDLE, the Successor Trustee of the Iwalani Luke Ruddle Revocable Living Trust, dated May 6, 1994, as amended. - 100% to be distributed by said Trustee in accordance with the provisions of the Trust. CM

U. RUBY LEIMOMI WILHELM

1. CHERYL A. WILSON, Personal Representative of the Estate of Ruby Leimomi ~~Wilhem~~ Wilhelm, Deceased - 100% to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate. ^{CM}

V. NANCY PUNOHU ZALOPANY

1. ANALIA ANN FURMAN, the Successor Trustee of the Nancy Punohu Zalopany Self- Trusteed Trust, dated September 14, 1995 - 100% to be distributed by said Trustee in accordance with the provisions of the Trust. ^{CM}

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 ~~\$14,260.50~~ 14,026.50, plus general excise tax (4.712%) thereon in the amount of ~~\$671.95~~ 660.93, plus costs in the amount of \$2,791.10, for a grand total of ~~\$17,723.55~~ 17,478.53, are approved; ^{CM}

G. Fees to Probate Special Master, EMILY H. KAWASHIMA, ESQ., in the amount of \$10,325.00, plus general excise tax (4.712%) thereon in the amount of \$486.51, plus costs in the amount of \$460.84, for a grand total of \$11,272.35, 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 in the manner provided by Rule 54(b) of the Hawaii Rules of Civil Procedure. CH

DATED: Honolulu, Hawaii, **MAY 17 2024** .

/s/ Jeannette H. Castagnetti



Judge of the Above-Entitled Court

APPROVED BY:

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

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