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FIRST CIRCUIT
1CTR-23-0000142
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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 #3

HEARING:

DATE: May 3, 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

PLEASE NOTE CHANGES

ORDER GRANTING PETITION FOR INSTRUCTIONS #3

The PETITION FOR INSTRUCTIONS #3 filed herein on January 29, 2024 (the "Petition"), came on for hearing on Thursday, May 3, 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 #3 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 #3 filed herein on or about April 2, 2024, and First Supplement to Probate Special Master's Report Re: PETITION FOR INSTRUCTIONS #3, filed May 8, 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 #3 filed herein on January 29, 2024, from THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023, as recommended by the Probate Special Master, as follows:

(A) **ERIC I.K. AYAU**

ANITA B. VALDEZ (formerly known as ANITA B. AYAU): 1/2
of proceeds
MALIA AYAU: 1/6 of proceeds
JESSICA AYAU: 1/6 of proceeds
ANGELICA AYAU: 1/6 of proceeds

(B) **ANTONIO BAGIO**

IVY JEAN SANCHEZ, Trustee of the Antonio Bagio and Barbara Martin Bagio Revocable Living Trust Agreement dated March 13, 1997 - 100% of proceeds to be distributed by said Trustee in accordance with the provisions of the Trust.

(C) **LUCILLE L.K. BAKER**

JOHN E. BAKER III - 1/4 of proceeds
JOHNNELL L. KELLEY - 1/4 of proceeds
DEBBIE KAE0 - 1/4 of proceeds
EVI TULI - 1/4 of proceeds

(D) **LEINAALA S. BAL - STRICKEN**

(E) **MIRIAM C. BALDOMERO**

ANTHONY J. BALDOMERO, SR. - 1/5 of proceeds
DICK MATSUMOTO - 1/5 of proceeds
FRANCES JACOBSON - 1/5 of proceeds
MERYL BALDOMERO - 1/5 of proceeds
DANIEL "SKEETER" BALDOMERO - 1/25 of proceeds
SLADE BALDOMERO - 1/25 of proceeds
TANYA BALDOMERO - 1/25 of proceeds
CAPUCINE BALDOMERO - 1/25 of proceeds
CORAL BALDOMERO - 1/25 of proceeds

(F) **GARY S. BECK**

DORETTA BECK-KIPILII - 100% of proceeds

(G) **WALLACE K. BECK, JR.**

ROSE MARIE BECK - First \$100,000 plus one-half of any balance
WALLACE K. BECK III - one-quarter of any balance
LACIA BENSON - one-quarter of any balance

(H) **HAROLD KAHALEKOU CHAI, JR.**

NADINE M. CHAI - 100% of proceeds

(I) **MELVIN K. CHAN, SR.**

CLAYTON M. CHAN, as Personal Representative of the Estate of PRISCILLA H.L. CHAN - 100% of proceeds to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(J) **MYRA NAOMI CHARTRAND**

DESIREE P. CHARTRAND - 1/5 of proceeds
KEHEALANI H. CHARTRAND - 1/5 of proceeds
GEORGETTE H. CHARTRAND-WONG - 1/5 of proceeds
CHANDLER U. CHARTRAND - 1/5 of proceeds
HAL N. CHARTRAND - 1/5 of proceeds

(K) **ESTHER LAURA CHING**

LAURA L. SCHULMAN and NORTON B. CHING, Co-Trustees under the Esther L. Ching Trust dated January 17, 1992, as amended - 100% of proceeds to be distributed by said Trustees in accordance with the provisions of the Trust.

(L) **JOHN Y.S. CHING**

JERE I. CHING-ZUTTERMEISTER, Trustee of the John Y.S. Ching Revocable Living Trust Agreement dated July 31, 1991 - 100% of proceeds to be distributed by said Trustee in accordance with the provisions of the Trust.

(M) **JOSEPH LEIOLA CHING**

WEHILANI M. CHING - 100% of proceeds

(N) **MARCUS REXFORD KAHELEUILANI CHING**

CHRISTINA KAPAHU CHING - 100% of proceeds

(O) **PAUL KAHINIHINIULA CHING**

RAYMOND KAIPO CHING, Personal Representative of the Estate of Blanche Lauae Ching, also known as Blanche L. Mahoney, and Blanche Lauae Mahoney Ching, Deceased - 100% of proceeds to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(P) **ALVIN EKIKIELA CHONG, SR.**

LORRAINE OLSEN-CHONG and ROBSON CHONG, as the Successor Co-Trustees of the Alvin Ekikiela Chong Trust, dated September 29, 1998, as restated and amended - 100% of proceeds to be distributed by said Trustees in accordance with the provisions of the Trust.™

(Q) **GWENDOLYN ELLEN LEHUA EVAIMALO**

LISA L. EVAIMALO - 1/2 of proceeds
NUMIA EVAIMALO, JR. - 1/2 of proceeds

(R) **WENDELL KULINA KAU**

ANGELINE NGAN CHOY KAU, Trustee of the Wendell K. Kau Trust dated April 13, 1992 - 100% of proceeds to be distributed by said Trustee in accordance with the provisions of the Trust.™

(S) **RICHARDSON KAHOKUOKAHONUA KALAULI**

JOSEPHINE M. KALAULI - 100% of proceeds

(T) **GLADYS K. PUALOA-AHUNA**

VERLA K. MOORE: 1/7 of proceeds
WILLIE PUALOA III: 1/7 of proceeds
RICHARD PUALOA: 1/7 of proceeds
RUBY ANN P. MORGAN-CHASE: 1/7 of proceeds
COLLEEN U. PUALOA: 1/7 of proceeds
GLADYS I. TANO: 1/7 of proceeds
LOIS N. PUALOA-UBANDO: 1/7 of proceeds

E. Upon filing proof that the distributions set forth herein have been made, the aforesaid 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 \$14,520.00, plus general excise tax (4.712%)

thereon in the amount of **\$684.18**, plus costs in the amount of **\$2,965.15**, for a grand total of **\$18,169.33**, are approved, to be paid in the manner set forth in the Probate Plan;

G. Fees to Probate Special Master, EMILY H. KAWASHIMA, ESQ., in the amount of **\$8,750.00**, plus general excise tax (4.712%) thereon in the amount of **\$412.30**, plus costs in the amount of **\$768.95**, for a grand total of **\$9,931.25**, are approved, to be paid in the manner set forth in the Probate Plan;

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.

DATED: Honolulu, Hawaii, JUN - 3 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 #3.