

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

Probate Special Counsel

**Electronically Filed
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 #4

HEARING:

DATE: May 17, 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

PLEASE NOTE CHANGES

ORDER GRANTING PETITION FOR INSTRUCTIONS #4

The PETITION FOR INSTRUCTIONS #4 filed herein on February 9, 2024 (the "Petition"), came on for hearing on ~~Thursday~~ **Friday**, May 17, 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 #4 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 #4 filed herein on or about April 17, 2024, as supplemented on May 8, 2024 and on May 29, 2024, and as orally amended at said hearing;

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 #4 filed herein on February 9, 2024, from THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023, as recommended by the Probate Special Master, as follows:

(A) **EVANGELINE ROSE LOKE KALEIOHI EVANS**

DOROTHEA L. EVANS - ONE-FIFTH (1/5)
CHERYL ANN NAYLOR - ONE-FIFTH (1/5)
JOHN EPHRIAM EVANS - ONE-FIFTH (1/5)
ANGELA MAY REVILLA - ONE-FIFTH (1/5)
KAYLEE ROSE EVANS - ONE-TENTH (1/10)

EMILY EVANS - ONE-TENTH (1/10)

(B) **IRVIN KEALOHA EWALIKO**

CATALINA K. EWALIKO, as Personal Representative of the Estate of IRVIN KEALOHA EWALIKO - ALL (100%) to be distributed in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560, with regard to said estate.

(C) **LYDIA K. FAHILGA**

RICKY K. FAHILGA - ONE-FOURTH (1/4)
RENEE K. ROTH - ONE-FOURTH (1/4)
RONALD FAHILGA - ONE-FOURTH (1/4)
RANDY K. FAHILGA - ONE-FOURTH (1/4)

(D) **JAMES ROLAND FARM**

KRISTOPHER K.K. FARM - ONE-HALF (1/2)
KAWIKA K.E. FARM - ONE-HALF (1/2)

(E) **LLOYD KAUEAHU FAULKNER**

STEPHANIE REVERA FAULKNER, Trustee of the Llyod Kaueahu Faulkner, Sr. Self-Trusteed Trust dated October 10, 1995 - ALL (100%) to be distributed by said Trustee in accordance with the provisions of the Trust.

(F) **ROSE KEOHOULAICALANI FERNANDEZ**

CHERRILYNN H. FERNANDEZ - ONE-SIXTH (1/6)
LOU-ANN N. TOLENTINO - ONE-SIXTH (1/6)
LEA-FRANCINE K. FERREIRA - ONE-SIXTH (1/6)
CINDY GANON - ONE-SIXTH (1/6)
SALINA ANN VICTORINO - ONE-TWELFTH (1/12)
LLOYD KAUFFMAN - ONE-SIXTH (1/6)
LOPAKA-LEE VICTORINO - ONE-THRITY SIXTH (1/36)
AMANDA-LEE VICTORINO - ONE-THRITY SIXTH (1/36)
MARY JO VICTORINO - ONE-THRITY SIXTH (1/36)

(G) **GLENWOOD ALFRED FERREIRA**

AUDREY P. DOWSETT - ONE-FOURTH (1/4)
LOUIS FERREIRA - ONE-FOURTH (1/4)
HIRAM ALFRED FERREIRA - ONE-FOURTH (1/4)
BRANDY KUU IPO GOUVEIA - ONE-SIXTEENTH (1/16)

JESSE KEALOHA HERNANDEZ - ONE-SIXTEENTH (1/16)
ANDREW KALEO OKALANI HERNANDEZ - ONE-SIXTEENTH (1/16)
DAVID RAYMOND KALANIKOA HERNANDEZ III - ONE-SIXTEENTH
(1/16)

(H) **RUBY KUUIPO FIELD**

ULRICH FIELD - ONE-FOURTH (1/4)
CYRUS FIELD - ONE-FOURTH (1/4)
JANICE WAKAMATSU - ONE-FOURTH (1/4)
HARRILYN BELLUCHE - ONE-FOURTH (1/4)

(I) **STEPHEN K. HAO, JR.**

FLORA M. HAO, Trustee of the Revocable Trust of Stephen K. Hao, Jr. dated August 31, 1995 - ALL (100%) to be distributed by said Trustee in accordance with the provisions of the Trust.

(J) **SWEETHEART K. HARRIS**

DIMPLES K. HARRIS - ONE-SIXTH (1/6)
GARY C. HARRIS - ONE-SIXTH (1/6)
SWEETHEART K. SALSEDO - ONE-SIXTH (1/6)
MARGUERITE L. CARVALHO - ONE-SIXTH (1/6)
HENRY R. HARRIS - ONE-SIXTH (1/6)
DANETTE K. HARRIS - ONE-SIXTH (1/6)

(K) **EVERETT IPOALOHA HAUMEA**

CARMELITA I. HAUMEA - ALL (100%)

(L) **HAROLD HAUPU, JR.**

GAIL K. HAUPU - ALL (100%)

(M) **DENNIS MERVIN JOAO**

MARY F. JOAO - ALL (100%)

(N) **GERTRUDE KAHELE NAMAUU**

GEORGE K. NAMAUU SR - ALL (100%)

(O) **RITCHIE ALICE KALAHIKI RAMSEYER**

RICHARD I. RAMSEYER - ONE-THIRD (1/3)

SHERRAN K. KINILAU - ONE-THIRD (1/3)
SHEILA N. RAMSEYER-MAO - ONE-THIRD (1/3)

(P) **JANICE KUULEI AUKAI**

CHERYL A. PADEKEN - ONE-HALF (1/2)
BRANDON W.K. AUKAI - ONE-HALF (1/2)

(Q) **MYRA HAULANI RIVERA**

LURLYNNE M. SOUZA - ONE-FOURTH (1/4)
KEITH S. ALPICHI - ONE-FOURTH (1/4)
KEVIN S. ALPICHI - ONE-FOURTH (1/4)
DONNA A. ALPICHI-LOPEZ - ONE-FOURTH (1/4)

(R) **HELEN K. TAYAMEN**

HARLAN TAYAMEN - ONE-EIGHTH (1/8)
CLAYTON TAYAMEN - ONE-EIGHTH (1/8)
AFTON TAYAMEN - ONE-EIGHTH (1/8)
GALEN CAJIGAL - ONE-EIGHTH (1/8)
TESSIE PAEYERNEERS - ONE-EIGHTH (1/8)
ADELE TAYAMEN - ONE-EIGHTH (1/8)
THELMAN BACXA - ONE-EIGHTH (1/8)
JANELLE COSTA - ONE-EIGHTH (1/8)

(S) **STEPHEN ANGEL MARDONADA**

JANIS MARDONADA - ALL (100%)

(T) **MANUEL KAIACLELEPA FERNANDEZ**

BETTY JEAN FERNANDEZ - ALL (100%)

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 **\$11,550.50**, plus general excise tax (4.712%)

thereon in the amount of **\$544.26**, plus costs in the amount of ~~\$2,783.08~~ **\$2,783.02**, of which **\$2,418.42** were paid from the Client Trust Account and **\$364.60** were advanced and can be reimbursed. The grand total to be paid to SCOTT C. SUZUKI, ESQ. is **\$12,459.36**, and this amount is 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 **\$8,410.00**, plus general excise tax (4.712%) thereon in the amount of **\$396.28**, plus costs in the amount of **\$661.92**, for a grand total of **\$9,468.20**, 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, JUL 08 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 #4.