

FIRST CIRCUIT COURT NOTICE

T. No. 1CTR-23-0000142

IN THE MATTER OF THE KALIMA CLASS ACTION SETTLEMENT
TRUST DATED JUNE 23, 2023

FILED, Petition for Instructions #11 by Scott C. Suzuki,
Esq., Probate Special Counsel, whose address is 1013 Poha Lane,
Honolulu, Hawaii 96826 (808) 983-3850, seeking instructions
relating to the administration THE KALIMA CLASS ACTION SETTLEMENT
TRUST DATED JUNE 23, 2023, a copy of which is available at
www.kalima-lawsuit.com, specifically relating to:

DOREEN D.P. CHOCK, Deceased
PETER KONOHA, Deceased
HOWARD WENDELL KUHIA WILSON, Deceased
LAWRENCE PAPAIANO KAOWILI, Deceased
LYNETTE L. KAOWILI-TAKAYESU, Deceased
AMBROSE KAMAKEA POAHA, Deceased
LEILANI LILAC PISONI, Deceased
JOSEPHINE KAUIKAMEALOAIPONOIA HILL, Deceased
JULIUS KALEIAHIAHI KUHNS JR., Deceased
ELAINE AH LEN NEEDHAM, Deceased
VIOLET KAPULANI SILVA, Deceased
GWEN P. CUGAL, Deceased
GENEVIEVE M. FRANCISCO, Deceased
GEORGE HALEAKALA NIAU, Deceased
HERMAN JOSEPH KILA, Deceased
JACOB YOON ON CHUNG SR., Deceased
STANLEY ROGER ALAPA, Deceased
RICHARD KANEHUNAMOKU AKUNA SR., Deceased
HANDIE K. AH PUCK, Deceased
LEI WAIOLA DELUZE, Deceased
NELSON EDWARD GASPAR JR., Deceased
WARREN W. GASPAR SR., Deceased
HENRY HULILANI GEORGE JR., Deceased
GAYLORD N. GLUSHENKO, Deceased
JOHN IVANIAGE GLUSHENKO, Deceased
JAMES KAHANUI GOMARD, Deceased

ERMA GOMEZ, Deceased
JAMES LLOYD KAUWE, Deceased
DERIAH WAHINEAUKAI DEMELLO, Deceased
LEIMOMI PEARL JOHNSON, Deceased
VIRGIL EMMITT DAY JR., Deceased

The date, time and place for hearing said Petition shall be Friday, OCT 04 2024, at 10:00 a.m. in the courtroom of the Judge of the above-entitled Court who shall be sitting in probate, in Ka'ahumanu Hale, 777 Punchbowl Street, Honolulu, Hawaii 96813.

The outcome of this hearing may determine how the above-named Decedents' proceeds of the judgment in Kalima et al. v. Hawaii, Civil No. 99-4771-12 LWC, filed in the Circuit Court of the First Circuit, State of Hawaii, will be distributed. Parties interested in this Petition have the right to be represented by a private attorney, at said party's own expense.

DATED: Honolulu, Hawaii, JUL 12 2024.

R. CAMPOS

Clerk of the Above-Entitled Court

SCOTT C. SUZUKI
Attorney for Petitioner
(808) 983-3850

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
12-JUL-2024
03:45 PM
Dkt. 389 OSTPH**

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 SETTING DATE, TIME AND
PLACE OF HEARING ON PETITION FOR
INSTRUCTIONS #11

HEARING:

DATE: OCT 04 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

ORDER SETTING DATE, TIME AND PLACE
OF HEARING ON PETITION FOR INSTRUCTIONS #11

The PETITION FOR INSTRUCTIONS #11 having been filed on
July 8, 2024, and good cause appearing therefor,

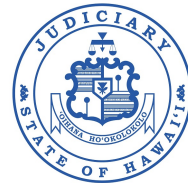
IT IS HEREBY ORDERED THAT the date, time and place for
hearing said Petition shall be Friday,

OCT 04 2024, at 10:00 a.m. in the courtroom of
the Judge of the above-entitled Court who shall be sitting in
probate, in Ka`ahumanu Hale, 777 Punchbowl Street, Honolulu,
Hawaii 96813.

That Petitioner give notice of the hearing by email, via the website www.kalima-lawsuit.com, or as otherwise prescribed by H.R.S. § 560:1-401 to the persons enumerated in H.R.S. § 560:3-403 and upon payment by the demandant of the cost of reproducing copies, to any additional person who has filed a demand for notice under H.R.S. §560:3-204; and

That pursuant to Rule 10(c) of the Hawaii Probate Rules, any party wishing to object or respond to the petition shall file such objection or response with the Court or serve it on all interested persons within 30 days of service of the Petition and this Order or on the date of the scheduled hearing, whichever occurs earlier.

DATED: Honolulu, Hawaii, July 12, 2024



/s/ S. Adams

Clerk of the Above-Entitled Court

T. No. 1CTR-23-0000142; IN THE MATTER OF THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023; ORDER SETTING DATE, TIME AND PLACE OF HEARING ON PETITION FOR INSTRUCTIONS #11.

SCOTT C. SUZUKI, ATTORNEY AT LAW

SCOTT C. SUZUKI #8181
NICOLE C. EDWARDS-MASUDA #10287
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Facsimile: (808) 983-3851

**Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
08-JUL-2024
02:36 PM
Dkt. 339 PET**

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)

PETITION FOR INSTRUCTIONS #11;
EXHIBITS "A" - "S"

HEARING:

DATE: _____

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

PETITION FOR INSTRUCTIONS #11

COMES NOW 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*")¹, and hereby petitions this Court pursuant to H.R.S. §554D-201 and Hawaii Probate Rules 28, 29 and 126, for instructions as follows:

¹ Petitioner was appointed as Probate Special Counsel *Kalima* by that certain Joint Order Adopting Settlement Special Master's Findings and Recommendations and Appointing Probate Special Counsel filed therein on or about March 24, 2023.

1. Petitioner's name is SCOTT C. SUZUKI, ESQ., in his capacity as Probate Special Counsel in *Kalima*.

2. The KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023 (hereinafter the "Trust") was established by the Circuit Court of the First Circuit, State of Hawaii, pursuant to the FIRST AMENDED JOINT ORDER APPROVING PROBATE PLAN AND QUALIFIED SETTLEMENT TRUST filed in *Kalima* on or about June 23, 2023 (hereinafter the "Joint Order Approving Probate Plan").

3. This Honorable Court has jurisdiction in this matter pursuant to H.R.S. §554D-202.

4. Venue before this Honorable Court is appropriate pursuant to H.R.S. § 554D-204(a), as the principal place of administration is in this Judicial Circuit.

5. A true and correct copy of the Trust is available online at kalima-lawsuit.com.²

6. The Trustee of the Trust is SYLVIUS H. VON SAUCKEN, General Manager - Mass Torts, Epiq Class Action & Claims Solutions, Inc. (hereinafter "Trustee"), who submits to the jurisdiction of this Honorable Court. The Trustee's address is 10300 SW Allen Boulevard, Beaverton, Oregon 97055

7. Article 1-2 of the Trust provides as follows:

"The Beneficiaries of the Trust are those parties who have a valid claim and/or interest

² The Trust is also Exhibit "A" of FIRST AMENDED JOINT ORDER APPROVING PROBATE PLAN AND QUALIFIED SETTLEMENT TRUST filed in *Kalima* on or about June 23, 2023.

in the proceeds of the settlement funds derived from the Civil Matter, including parties who are entitled to the estates of deceased Class Members”

8. Petitioner has identified multiple class members who are deceased.

9. In fulfilment of Petitioner’s duties established under the Joint Order Approving Probate Plan, Petitioner will be bringing multiple petitions in this matter to identify the parties who are legally entitled to receive the deceased claimants’ shares of the *Kalima* settlement funds. This Petition seeks to identify certain parties who are Beneficiaries of this Trust, and to calculate their respective beneficial interests.

10. The following deceased class members’ shares of the *Kalima* settlement proceeds should be identified and disbursed as follows:

(A) **DOREEN D.P. CHOCK**
(Date of Death: September 13, 2019)
(Place of Death: Orange County, California)

(1) **SURVIVING SPOUSE:**

HAMILTON MUN SING CHOCK, SR.
19681 Lexington Lane
Huntington Beach, California 92646

(2) **CHILDREN:**

TERRY CHOCK-WILLINGHAM
545 Wana`ao Road
Kailua, Hawaii 96734

JACQUELINE CHOCK

P.O. Box 12311
Costa Mesa, California 92627

KELLY F. CHOCK-MAO

2919 Seriana Place
Union City, California 94587

HAMILTON M.S. CHOCK, JR.

11941 E. Mariposa Grande Drive
Scottsdale, Arizona 85255

JAELYN D.U. SIBLEY

893 Tucana Drive
San Marcos, California 92078

DEE-JADE P. CHOCK (Pre-Deceased Daughter)

Date of Death: March 28, 2008

(Verified by online obituary published the Orange County Registrar)

Survived by:

JOMA BRIONES (Spouse)

(No descendants)

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

The deceased class member left a Last Will, but it has not been admitted to probate. The deceased class member's Last Will is a pour-over will, which directs the residuary estate to the Chock Family Trust dated

February 23, 2018. The Certification of the Chock Family Trust identifies **HAMILTON M.S. CHOCK** and **DOREEN D.P. CHOCK** as Trustees. True and correct copies of the deceased class member's Last Will and the Certification of Trust for the Chock Family Trust are collectively attached hereto as **Exhibit "A"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to **HAMILTON M.S. CHOCK, Trustee of the Chock Family Trust dated February 23, 2018.**

(B) **PETER KONOHA, JR.**
(Date of Death: July 1, 2011)
(Place of Death: Wailuku, Hawaii)

(1) **SURVIVING SPOUSE:**

MARGARET A. KONOHA
49 Kuu One Hanau Way
Wailuku, Hawaii 96793

(2) **CHILDREN:**

PETER KONOHA III
547 Halemalu Place
Wailuku, Hawaii 96793

APRIL B. DAMORE
27 Oopu Way
Wailuku, Hawaii 96793

ELIZABETH A. MORALES
P.O. Box 330973
Kahului, Hawaii 96733

TERA L. SOUZA
763 Hoomau Place
Wailuku, Hawaii 96793

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, but it has not been admitted to probate. Said Last Will appears to have been validly executed as a testamentary instrument. The Fourth Article of the Last Will devises the deceased class member's residuary estate to his surviving spouse. A true and correct copy of the Last Will is attached hereto as Exhibit "B".

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the surviving spouse, **MARGARET A. KONOHA**.

- (C) **HOWARD WENDELL KUHIA WILSON**
(Date of Death: February 14, 2001)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:**

CORAL ANN PRINCE-WILSON
2130 Armstrong Street
Honolulu, Hawaii 96822

(2) **CHILDREN:**

HOWARD W.K. WILSON, JR.
91-133 Fort Weaver Road
Ewa Beach, Hawaii 96706

ROBIN E. WILSON
91-133 Fort Weaver Road
Ewa Beach, Hawaii 96706

KELLIE J. WILSON
91-133 Fort Weaver Road
Ewa Beach, Hawaii 96706

EMMA M. PRINCE-WILSON
2134 Metcalf Street
Honolulu, Hawaii 96822

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will which has not been admitted to probate. Said Last Will appears to have been validly executed. The Last Will pours over to the Howard Wendall Kuhia Wilson Trust dated July 19, 1990. Pursuant to Article Three, Section 4 of the Trust, the Trustee should be **CORAL ANN PRINCE-WILSON**. True and correct copies of the deceased class member's Last Will and the First Amendment and Restatement to the Howard

Wendell Kuhia Wilson Trust are collectively attached hereto as Exhibit "C".

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **CORAL ANN PRINCE-WILSON, Trustee of the Howard Wendell Kuhia Wilson Trust dated July 19, 1990.**

- (D) **LAWRENCE PAPAIANO KAOWILI**
(Date of Death: January 12, 1979)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

LYNETTE KAOWILI-TAKAYESU (Post-Deceased)
Date of Death: March 9, 2014

(Verified by obituary published online by the Honolulu Star-Advertiser)

No known probate proceedings

Survived by children named below

(2) CHILDREN:

LAUREEN K. STANFIELD
1300 Vissing Circle
Idaho Falls, Idaho 83402

OCEAN PAPAIANO KAOWILI
86-289 Hukupaa Street
Waianae, Hawaii 96792

LORNA MELE HAUOLI KOMETANI
91-1052 Puainalea Street
Kapolei, Hawaii 96707

LAWRENCE KALANI KAOWILI
50A Kake Street
Nashua, New Hampshire 03060

LANCE WAIIOKEOLA KAOWILI (Post-Deceased)³
Date of Death: 2011

(See U.S. Department of Justice National Missing and Unidentified Persons Systems Report No. MP71046 attached hereto as **Exhibit "D"**)

No known probate proceedings

Survived by:

KEENAN K. SANIATAN (Descendant)
95-672 Holu Place
Mililani, Hawaii 96789

KELI-GRACE SANIATAN (Descendant)
95-672 Holu Place
Mililani, Hawaii 96789

KAI K. SANIATAN (Descendant)
1255 Hind Iuka Drive
Honolulu, Hawaii 96821

KULIA SANIATAN (Descendant)
1255 Hind Iuka Drive
Honolulu, Hawaii 96821

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

³ **LANCE WAIIOKEOLA KAOWILI** was reported missing on March 24, 2011 and has not been seen or heard from since. Pursuant to H.R.S. § 560:1-107(5), Petitioner believes that this party is presumed to be dead as he has been absent for a continuous period of more than five (5) years.

The deceased class member was survived by his spouse, **LYNETTE KAOWILI-TAKAYESU**. Had **LYNETTE KAOWILI-TAKAYESU** survived to the completion of the settlement, she would be entitled to the entirety of the deceased class member's settlement proceeds. Because **LYNETTE KAOWILI-TAKAYESU** is now also deceased, her estate would govern the further administration of said settlement proceeds. **LYNETTE KAOWILI-TAKAYESU** is also a *Kalima* claimant and the disposition of her estate is set forth below, in Paragraph (E).

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **L. KAUILANI STANFIELD, Trustee of the Lynette L. Kaowili Grantor Trust dated August 18, 2011.**

- (E) **LYNETTE L. KAOWILI-TAKAYESU**
(Date of Death: March 9, 2014)
(Place of Death: Idaho Falls, Idaho)

(Verified by obituary published online by the Honolulu Star-Advertiser)

- (1) **SURVIVING SPOUSE:** NONE
(2) **CHILDREN:**

OCEAN PAPAIANO KAOWILI
86-289 Hokupaa Street
Waianae, Hawaii 96792

LAUREN KAUILANI STANFIELD
1300 Vissing Circle
Idaho Falls, Idaho 83402

LORNA KOMETANI
91-1052 Puainako Street
Kapolei, Hawaii 96709

LAWRENCE KAOWILI
71 Major Drive
Nashua, New Hampshire 3060

LANCE WAIKEOLA KAOWILI (Post-Deceased)⁴
Date of Death: 2011

(See U.S. Department of Justice National Missing and Unidentified Persons Systems Report No. MP71046 attached hereto as Exhibit "D")

No known probate proceedings

Survived by:

KEENAN K. SANIATAN (Descendant)
95-672 Holu Place
Mililani, Hawaii 96789

KELI-GRACE SANIATAN (Descendant)
95-672 Holu Place
Mililani, Hawaii 96789

KAI K. SANIATAN (Descendant)
1255 Hind Iuka Drive
Honolulu, Hawaii 96821

KULIA SANIATAN (Descendant)
1255 Hind Iuka Drive
Honolulu, Hawaii 96821

⁴ *Id.*

- (3) **OTHER INTESTATE HEIRS: NONE**
- (4) **PROBATE PROCEEDINGS: NONE**
- (5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, which has not been admitted to probate. Said Last Will appears to be a validly executed testamentary instrument. The Last Will pours over the residuary estate to the Lynette L. Kaowili Grantor Trust dated August 18, 2011. Pursuant to the Trust, the trustee of said Trust is **L. KAUILANI STANFIELD**, whose full legal name is **LAUREEN KAUILANI STANFIELD**. True and correct copies of the Last Will and the deceased class member's Short Form Irrevocable Trust are collectively attached hereto as **Exhibit "E"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **L. KAUILANI STANFIELD**, whose full legal name is **LAUREEN KAUILANI STANFIELD**, **Trustee of the Lynette L. Kaowili Grantor Trust dated August 18, 2011.**

(F) **AMBROSE KAMAKEA POAHA**
(Date of Death: December 22, 2003)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

EDNA JEAN POAHA (Post-Deceased)
Date of Death: November 25, 2009

(Verified by obituary published online by Legacy.com)

No known probate proceedings

Survived by the children named below

(2) CHILDREN:

AMBROSE N. POAHA
1440 Meyers Street
Honolulu, Hawaii 96819

GENESIS M. MOORE
1044 New Walters Mill Road
Providence, North Carolina 27315

WILLIAM W.W. POAHA
1551 Wilder Ave. Apt. 4
Honolulu, Hawaii 96822

SHELDON J. POAHA
1506 Kuloko Street
Pearl City, Hawaii 96782

AGNES C. RIBORDY
87-189 Pualeilani Street
Waianae, Hawaii 96792

TERRY ANN N. KAOHI
3502 Puulu Makai Drive
Honolulu, Hawaii 96818

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

The deceased class member died intestate, survived by a spouse, **EDNA JEAN POAHA**. Petitioner is informed that all of the deceased class member's children are also the children of **EDNA JEAN POAHA**. Had **EDNA JEAN POAHA** survived to the completion of settlement, she would be entitled to the deceased class member's settlement proceeds. Petitioner is further informed that **EDNA JEAN POAHA** also died intestate and there are no known probate proceedings for her estate.

On the basis of the foregoing, the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the intestate heirs of **EDNA JEAN POAHA**, in the following proportions:

AMBROSE N. POAHA - ONE-SIXTH (1/6)
GENESIS M. MOORE - ONE-SIXTH (1/6)
WILLIAM W.W. POAHA - ONE-SIXTH (1/6)
SHELDON J. POAHA - ONE-SIXTH (1/6)
AGNES C. RIBORDY - ONE-SIXTH (1/6)
TERRY ANN N. KAOHI - ONE-SIXTH (1/6)

(G) LEILANI LILAC PISONI
(Date of Death: November 15, 2020)
(Place of Death: Kahului, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) **CHILDREN:**

TIMOTHY R. PISONI
1190 Hooilina Place
Haiku, Hawaii 96708

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

The deceased class member left a Last Will, which has not been admitted to probate. Said Last Will appears to be a validly executed testamentary instrument. The Last Will devises the deceased class member's residuary estate to her spouse, **ROBERT C. PISONI**. In the event that **ROBERT C. PISONI** fails to survive the deceased class member, her residuary estate shall be distributed to her son, **TIMOTHY R. PISONI**. A true and correct copy of said Last Will is attached hereto as Exhibit "F". **ROBERT C. PISONI** died before the deceased class member, on April 2, 1998, as evidenced by his Certificate of Death filed under seal herein.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima*

settlement proceeds should be distributed to **TIMOTHY R. PISONI.**

(H) **JOSEPHINE KAUIKAMEALOHAIPONOIA HILL**
(Date of Death: May 21, 2021)
(Place of Death: Waimanalo, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

LESLIE GAEL KUUIPO HILL
c/o Frederick J. Arensmeyer, Esq.
737 Bishop Street, Suite 2920
Honolulu, Hawaii 96813

SHANNON KAMALEI HILL
94-158 Kiaha Loop
Mililani, Hawaii 96789

SHAWN KAUIOLANI HILL
754 Pueo Drive
Kula, Hawaii 96790

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:**

LESLIE GAEL KUUIPO HILL has been informally appointed as Personal Representative of Estate of Josephine Kaukamealohaiponoia Hill in the Circuit Court of the First Circuit, State of Hawaii, in Probate No. 1CLP-24-0000038. A true and correct copy of the Letters of Administration filed therein on or about May 6, 2024, is being submitted herewith as **Exhibit "G"**.

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE PRESENTED

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **LESLIE GAEL KUU IPO HILL, Personal Representative of Estate of JOSEPHINE KAU KAMEALOHA IPO NOIA HILL** to be administered in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560.

**(I) JULIUS KALEIAHIHI KUHNS, JR.
(Date of Death: May 2, 2008)
(Place of Death: Honolulu, Hawaii)**

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

CHANDRA WOLTERS
741 Kaiwiula Street Apt. 15G
Honolulu, Hawaii 96817

JANICE K. KUHNS
741 Kaiwiula Street Apt. 15G
Honolulu, Hawaii 96817

KEO KALEIAHIHI-KUHNS
1337 Ahe Ahe Place
Wahiawa, Hawaii 96786

CECILIA-ANUENUE M. KALEIAHIHI-KUHNS
1337 Ahe Ahe Place
Wahiawa, Hawaii 96786

ISAAC KALEIAHIHI-KUHNS

1337 Aheahe Place
Wahiawa, Hawaii 96786

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

CHANDRA WOLTERS - ONE-FIFTH (1/5)
JANICE K. KUHNS - ONE-FIFTH (1/5)
KEO KALEIAHIHI-KUHNS - ONE-FIFTH (1/5)
CECILIA-ANUENUE M. KALEIAHIHI-KUHNS - ONE-FIFTH (1/5)
ISAAC KALEIAHIHI-KUHNS - ONE-FIFTH (1/5)

- (J) **ELAINE AH LEN NEEDHAM**
(Date of Death: October 25, 2015)
(Place of Death: Wailuku, Hawaii)

- (1) **SURVIVING SPOUSE:** NONE
- (2) **CHILDREN:**

KIMO W. NEEDHAM
75 Akule Place
Wailuku, Hawaii 96793

K.K.H.N., A MINOR CHILD⁵
c/o Kimo W. Needham, Guardian (see Exhibit "H")
75 Akule Place
Wailuku, Hawaii 96793

⁵ Minor **K.K.H.N.** was legally adopted by the deceased class member, as evidenced by the Certificate of Live Birth filed under seal herein.

H.Q.H.N., A MINOR CHILD⁶

c/o Kimo W. Needham, Guardian (see Exhibit "H")
75 Akule Place
Wailuku, Hawaii 96793

NAMAU 'U MANOUA-KAINOA NEEDHAM (Pre-Deceased)

Date of Death: May 19, 1992

(Verified by Certificate of Death filed under seal herein)

No Descendants

- (3) **OTHER INTESTATE HEIRS: NONE**
- (4) **PROBATE PROCEEDINGS: NONE**
- (5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, but it has not been admitted to probate. Said Last Will appears to have been executed as a valid testamentary document. The Last Will devises the estate to the deceased class member's then-husband, **ERDMANN WILLIAM NEEDHAM**. The deceased class member divorced **ERDMANN WILLIAM NEEDHAM** in 1996, as evidenced by the Certificate of Absolute Divorce or Annulment attached hereto as Exhibit "I". **ERDMANN WILLIAM NEEDHAM** also died before the deceased class member, as evidenced by his Certificate of Death filed under seal herein. Alternatively, said Last Will

⁶ Minor **H.Q.H.N.** was legally adopted by the deceased class member, as evidenced by the Certificate of Live Birth filed under seal herein.

devises the deceased class member's estate to her children and the issue of any deceased children. A true and correct copy of the Last Will is attached hereto as Exhibit "J".

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

KIMO W. NEEDHAM - ONE-THIRD (1/3)
K.K.H.N., A MINOR CHILD - ONE-THIRD (1/3)
H.Q.H.N., A MINOR CHILD - ONE-THIRD (1/3)

(K) **VIOLET KAPULANI SILVA**
(Date of Death: September 7, 2007)
(Place of Death: Kaneohe, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

LOUIS A. SILVA, JR.
c/o William E. Paupe, Jr., Esq.
46-001 Kamehameha Highway #215
Kaneohe, Hawaii 96744

SAMUEL LOVE (Pre-Deceased)
Date of Death: December 11, 2006

(Verified by Certificate of Death filed under seal herein)

Survived by:

CURTIS LOVE (Descendant)
3215 Hoolulu Street
Honolulu, Hawaii 96815

ALEJANDRO KEALA BARORO (Descendant)
7135 Farmland Avenue
Pico Rivera, California 90660

RAYMOND GOMES, JR. (Descendant)
1414 Lekeona Street
Kailua, Hawaii 96734

KIMBERLEE SANG (Descendant)
91-1011 Koanimakani Street
Kapolei, Hawaii 96707

MABEL SHELDON SILVA FOSTER (Pre-Deceased)
Date of Death: November 5, 2002

(Verified by Certificate of Death filed under seal
herein)

Survived by:

DAVID KAHUI (Deceased Descendant)
Date of Death: December 14, 2004

(Verified by Certificate of Death filed under seal
herein)

Survived by:

MISTY-LIN KAHUI (Deceased Descendant)
Date of Death: October 18, 2016

(Verified by obituary published online by
Ballard Family Moanalua Mortuary)

Survived by:

LEONANI KAHUI (Descendant)

POMAI KAHUI (Descendant)

LEIOLANI KAHUI (Descendant)

BRAYSEN KAHUI (Descendant)

LEIANNA KAHUI (Descendant)

BRANDY-LIN KAHUI (Deceased Descendant)

Date of Death: October 22, 2006

(Verified by obituary published online by the Honolulu Star-Bulletin)

Survived by:

KEONI KAHUI-CUSTODIO (Descendant)

KAWIKA KAHUI-CUSTODIO (Descendant)

KIANA KAHUI-CUSTODIO (Descendant)

KAWEHI KAHUI-CUSTODIO (Descendant)

KALENA KAHUI-CUSTODIO (Descendant)

DAVID SHANE KAHUI, JR. (Descendant)

702 Puhale Road
Honolulu, Hawaii 96813

MAE-LIN KAHUI (Descendant)

1003 Kina Street
Kailua, Hawaii 96734

LOUIS A. KAHUI (Deceased Descendant)

Date of Death: February 23, 2018

(Verified by Certificate of Death filed under seal herein)

No spouse and no descendants

KATHLEEN HOLDEN (Deceased Descendant)

Date of Death: May 24, 2022

(Verified by Certificate of Death filed under seal herein)

Survived by:

LEE ANN HOLDEN (Descendant)
2722 Eagle Lake Drive
Clermont, Florida 34711

KEOKI COOPER (Descendant)
7025 Aladar Drive
Windsor, Colorado 80550

KEONI COOPER (Descendant)
315 Brophy Court
Frederick, Colorado 80530

MEGAN FOSTER (Descendant)
95-204 Alaalaa Loop
Mililani, Hawaii 96789

COOKIE JOSIAH (Descendant)
41-560 Inoa Street
Waimanalo, Hawaii 96795

COLIN KAHUI (Descendant)
41-560 Inoa Street
Waimanalo, Hawaii 96795

CRAIG V. KAHUI (Descendant)
74-5146 Haleolono Place
Kailua-Kona, Hawaii 96740

ELNORA MARGARET AKANA (Descendant)
95-204 Alaalaa Loop
Mililani, Hawaii 96789

MELODY FOSTER (Descendant)
95-204 Alaalaa Loop
Mililani, Hawaii 96789

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:**

LOUIS ANTONE SILVA, JR. has been appointed as Personal Representative of the deceased class member's estate in

Probate No. 1CLP-23-0000575. A true and correct copy of the Letters of Administration appointing the Personal Representative is attached hereto as **Exhibit "K"**. Pursuant to the Letters of Administration, the Personal Representative shall have no right to possess estate assets as provided in H.R.S. § 560:3-709 beyond that necessary to confirm title thereto in the successors to the estate.

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

Pursuant to Article 1-5.1(B)(2) of the Trust, "If the Estate of the deceased Class Member has previously been subject to a probate proceeding, the Trustee shall distribute the share of such deceased Class Member to the heirs/devisees in the proportions as adjudicated in such deceased Class Member's probate proceeding". It appears from the probate record that the deceased class member's probate proceeding is still active.

Petitioner has spent a considerable amount of time and resources researching the various intestate heirs of this deceased class member. With the assistance of the

Personal Representative, **LOUIS ANTONE SILVA, JR.** and his attorney, Petitioner has been able to identify and locate most of the above-named heirs. However, as of the date of this filing, despite its best efforts, Petitioner has been unable to locate all of the descendants of **DAVID KAHUI**, a deceased descendant of **MABEL SHELDON SILVA FOSTER**. Although the Personal Representative's Letters of Administration include the H.R.S. § 560:3-709 restriction, Petitioner believes it would be more efficient, at this point, to distribute the deceased class member's share of the *Kalima* settlement proceeds to **LOUIS ANTONE SILVA, JR., Personal Representative of the Estate of Violet Kapulani Silva**, to completely administer in accordance with the applicable provisions of the Hawaii Uniform Probate Code, Chapter 560.

(L) **GWEN P. CUGAL**
(Date of Death: August 21, 2020)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

WENDY S. NAMOCA
95-968 Kelakela Street
Mililani, Hawaii 96789

JOELYN K. CUGAL (Pre-Deceased)

Date of Death: March 15, 2000

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

KERWIN W. CUGAL (Pre-Deceased)

Date of Death: February 10, 2005

(Verified by obituary published online by the Honolulu Star-Bulletin)

No known probate proceedings.

No spouse and no descendants.

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **WENDY S. NAMOCA.**

(M) **GENEVIEVE M. FRANCISCO**
(Date of Death: August 19, 2022)
(Place of Death: Hilo, Hawaii)

(Verified by obituary published online by the Honolulu Star-Advertiser)

- (1) **SURVIVING SPOUSE:** None
- (2) **CHILDREN:**

GERRI-ANN K. FRANCISCO
1377 Kapiolani Street Apt. 207B
Hilo, Hawaii 96720
- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **GERRI-ANN K. FRANCISCO.**

- (N) **GEORGE HALEAKALA NIAU**
(Date of Death: September 5, 2023)
(Place of Death: Waianae, Hawaii)

- (1) **SURVIVING SPOUSE:**

JOYCELYN NIAU (Post-Deceased)
Date of Death: November 7, 2023

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived by children named below.

- (2) **CHILDREN:**

ANGEL K. MORALES

87-169 Linakola Street
Waianae, Hawaii 96792

MELISSA K. NIAU-PULE
86-109 Hokuukali Street
Waianae, Hawaii 96792

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

ANGEL K. MORALES - ONE-HALF (1/2)
MELISSA K. NIAU-PULE - ONE-HALF (1/2)

- (0) **HERMAN JOSEPH KILA**
(Date of Death: November 6, 2008)
(Place of Death: Kapolei, Hawaii)

- (1) **SURVIVING SPOUSE:** NONE
- (2) **CHILDREN:**

LOVEE-ANN I. POLLACK
92-512 Akaawa Street
Kapolei, Hawaii 96707

LURLINE VIERRA
89-218 Huikala Place
Waianae, Hawaii 96792

HERMAN KILA, JR.
89-517 Puakolu Street
Waianae, Hawaii 96792

CINDY ANAKALEA

1020 Wakea Street Unit 917
Kapolei, Hawaii 96707

AZUREDEE KILA

P.O. Box 2732
Waianae, Hawaii 96792

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE:

The deceased class member left a Last Will dated October 1, 2004, which was amended by a First Codicil dated August 7, 2008. Both the Last Will and First Codicil appear to be validly executed testamentary instruments. The Last Will is a pour-over will, which distributes the deceased class member's residuary estate to the Herman J. Kila Revocable Trust dated April 19, 1996, as amended (formerly known as the "Herman and Harriet Kila Revocable Trust"). The Third Amendment to the Herman J. Kila Revocable Trust indicates that **LOVEE-ANN I. POLLACK** is the current-acting Trustee. The Last Will, First Codicil, and Third Amendment to the Herman J. Kila Revocable Trust are collectively attached hereto as **Exhibit "L"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **LOVEE-ANN I. POLLACK, Trustee of the Herman J. Kila Revocable Trust dated April 19, 1996, as amended.**

(P) **JACOB YOON ON CHUNG SR.**
(Date of Death: July 29, 2016)
(Place of Death: Aiea, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

JASON CHUNG
99-185 Ohekani Loop
Aiea, Hawaii 96701

JACOB CHUNG
98-1453F Kaahumanu Street
Aiea, Hawaii 96701

JONATHAN CHUNG
99-185 Ohekani Loop
Aiea, Hawaii 96701

JANDELL CHUNG
73-4341 Heohe Place
Kailua-Kona, Hawaii 96740

JADE RICHARDSON
95-1116 Anuanu Street
Mililani, Hawaii 96789

JAYLIN PEACOCK
P.O. Box 563
Eastsound, Washington 98245

(3) OTHER INTESTATE HEIRS: NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, but it has not been admitted to probate. Said Last Will is a pour-over will that devises the estate to the Jacob Y.O. Chung and Winifred J. Chung Revocable Trust dated October 7, 1998. The Short Form Trust indicates that following the deaths of **JACOB Y.O. CHUNG** and **WINIFRED J. CHUNG**, **JADE KAUIKEAOLANI RICHARDSON** is to serve as the successor Trustee. True and correct copies of the Last Will, Short Form Trust, and Acceptance of Trusteeship are collectively attached hereto as **Exhibit "M"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **JADE KAUIKEAOLANI RICHARDSON, Trustee of the Jacob Y.O. Chung and Winifred J. Chung Revocable Trust dated October 7, 1998.**

(Q) **STANLEY ROGER ALAPA**
(Date of Death: November 29, 2001)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:**

SHIRLEY JOAN ALAPA (Post-Deceased)

Date of Death: April 10, 2021

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings

Survived by:

RONALD L. STINCHFIELD (Descendant)

2728 Pasadena Avenue
Kingman, Arizona 86401

DONALD RAY STINCHFIELD (Descendant)

1633 Maple Avenue
Solvang, California 93463

(2) CHILDREN:

LAURA K. ALAPA-ESTERBROOK

91-1137 Kaupea Street
Kapolei, Hawaii 96707

SANDRA L. ALAPA-HEE

2264 Kapahu Street
Honolulu, Hawaii 96813

LANA KAUI OPUNA ALAPA

1615 Manchester Lane NW
Washington DC, 20011

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

Petitioner has received an "Affidavit of Collection for the Estate of Stanley Roger Alapa" prepared by Sheryll Bonilla, Esq. on behalf of **LAURA KAAIOHELO ALAPA-ESTERBROOK, SANDRA LUANA ALAPA-HEE, and LANA KAUI OPUNA**

ALAPA. A true and correct copy of said Affidavit is attached hereto as **Exhibit "N"**. Based on the records provided, Petitioner does not believe that this Affidavit is accurate because the deceased class member was survived by a spouse, **SHIRLEY JOAN ALAPA**. The deceased class member's intestate heir would have been said spouse. Because **SHIRLEY JOAN ALAPA** survived the deceased class member but is now deceased, her estate should further govern the disposition of the settlement proceeds.

SHIRLEY JOAN ALAPA left a Last Will, which appears to be a validly executed testamentary instrument, pours over to the Shirley Joan Alapa Revocable Living Trust dated August 29, 2018. Said Trust identifies **LAURA K. ALAPA-ESTERBROOK** as successor Trustee. **SHIRLEY JOAN ALAPA's** Last Will and the Shirley Joan Alapa Revocable Living Trust dated August 29, 2018 are collectively attached hereto as **Exhibit "O"**.

(5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **LAURA K. ALAPA-ESTERBROOK, Trustee of the Shirley Joan Alapa Revocable Living Trust dated August 29, 2018.**

(R) **RICHARD KANEHUNAMOKU AKUNA SR.**
(Date of Death: July 4, 2014)
(Place of Death: Panama City, Florida)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

MEI-LING FRISHKORN
201 Rue Esplanade
Lynn Haven, Florida 32444

RICHARD K. AKUNA, JR.
227 Holt Street
Ventura, California 93001

RUSSELL A. AKUNA
187 Coronado Street
Ventura, California 93001

MELANI AKUNA
75-5669 Kuakini #3-103
Kailua-Kona, Hawaii 96740

JOSEPH D. AKUNA
P.O. Box 79
Kaaawa, Hawaii 96730

MICHAEL A. AKUNA
445 Kaiolu Street #510
Honolulu, Hawaii 96815

MONIKA AKUNA
3230 Ise Way
Oxnard, California 93035

ROBERT KAAHA AKUNA (Pre-Deceased)
Place of Death: Hammond, Louisiana

(Verified by Certificate of Death filed under seal herein)

No spouse and no descendants.

No known probate proceedings.

- (3) **OTHER INTESTATE HEIRS: NONE**
- (4) **PROBATE PROCEEDINGS: NONE**
- (5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

MEI-LING FRISHKORN - ONE-SEVENTH (1/7)
RICHARD K. AKUNA, JR. - ONE-SEVENTH (1/7)
RUSSELL A. AKUNA - ONE-SEVENTH (1/7)
MELANI AKUNA - ONE-SEVENTH (1/7)
JOSEPH D. AKUNA - ONE-SEVENTH (1/7)
MICHAEL A. AKUNA - ONE-SEVENTH (1/7)
MONIKA AKUNA - ONE-SEVENTH (1/7)

- (S) **HANDIE K. AH PUCK**
(Date of Death: May 14, 2023)
(Place of Death: Wailuku, Hawaii)

- (1) **SURVIVING SPOUSE:**

CHRISTINE K. AH PUCK
3589 Pahala Street
Makawao, Hawaii 96768

(2) **CHILDREN:**

KELLIANN K. LENCHANKO
3589 Pahala Street
Makawao, Hawaii 96768

FRANK K. AH PUCK
331 Nehu Place
Kihei, Hawaii 96753

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, but it has not been admitted to probate. Said Last Will appears to have been executed as a valid testamentary instrument. The Last Will pours over to the Ah Puck Ohana Trust dated January 5, 2005. True and correct copies of the Last Will and Short Form Trust are attached hereto as **Exhibit "P"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **CHRISTINE K. AH PUCK, Trustee of the Ah Puck Ohana Trust dated January 5, 2005.**

(T) **LEI WAIOLA DELUZE**
(Date of Death: January 25, 2012)
(Place of Death: Waianae, Hawaii)

(1) **SURVIVING SPOUSE:**

MICHAEL R. DELUZE
89-1027 Pikaiolena Street
Waianae, Hawaii 96792

(2) **CHILDREN:**

NICOLE I. TROCHE
34725 Clover Street
Union City, California 96587

RENA L. TECHUR
89-1027 Pikaiolena Street
Waianae, Hawaii 96792

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the surviving spouse, **MICHAEL R. DELUZE**.

(U) **NELSON EDWARD GASPAR JR.**
(Date of Death: November 13, 2011)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(2) **CHILDREN:**

TRACEY DENAULT
650 Louis Henna Boulevard, Apt. 6207
Round Rock, Texas 78664

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **TRACEY DENAULT**.

- (V) **WARREN W. GASPAR SR.**
(Date of Death: April 20, 2015)
(Place of Death: Honolulu, Hawaii)

- (1) **SURVIVING SPOUSE:**

ANDRA L. TEJERO-GASPAR
1936 Wilder Avenue Apt 303
Honolulu, Hawaii 96822

- (2) **CHILDREN:**

CHRISTLAR N. GASPAR
3434 Kahili Street Apt. H
Honolulu, Hawaii 96819

SUMMAR K. GASPAR
3434 Kahili Street, Apt. I
Honolulu, Hawaii 96819

WARREN W. GASPAR JR.
3434 Kalihi Street, Apt. H
Honolulu, Hawaii 96819

CHANEL GASPER

3434 Kalihi Street, Apt. H
Honolulu, Hawaii 96819

ROMAN C. GASPAR

98-501 Koauka Loop, Apt. 1107
Aiea, Hawaii 96701

ZANDAR K. TEJERO-GASPAR

1936 Wilder Avenue, Apt. 303
Honolulu, Hawaii 96822

NAINOA M. TEJERO-GASPAR

1936 Wilder Avenue, Apt. 303
Honolulu, Hawaii 96822

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

Petitioner is informed that several of the deceased class member's children are not also the children of the deceased class member's surviving spouse. On the basis of the foregoing, and considering the estimated value of the settlement proceeds, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the surviving spouse, **ANDRA L. TEJERO-GASPAR.**

- (W) **HENRY HULILANI GEORGE JR.**
(Date of Death: June 9, 2020)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

EVONNE GEORGE

1128 Ala Napunani Street #1107
Honolulu, Hawaii 96818

(2) CHILDREN:

DIANE L. TEXIDOR

1128 Ala Napunani Street #1107
Honolulu, Hawaii 96818

HENRY H. GEORGE III

P.O. Box 11082
Honolulu, Hawaii 96828

LUANA K. GEORGE

99-1199 Halawa Heights Road
Aiea, Hawaii 96701

HEYLEY K. CERIT

3705 #A Manini Way
Honolulu, Hawaii 96816

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE:

The deceased class member left a Last Will, which appears to have been validly executed as a testamentary instrument. Said Last Will pours over to the Henry H. George, Jr. Revocable Trust Agreement dated August 16, 2000. True and correct copies of the Last Will and Removal of Trustee, Renunciation of Nomination and

Acceptance of Appointment of Successor Trustee are collectively attached hereto as Exhibit "Q".

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **DIANE L. TEXIDOR, Trustee of the Henry H. George, Jr. Revocable Trust Agreement dated August 16, 2000.**

(X) **GAYLORD N. GLUSHENKO**
(Date of Death: July 18, 2010)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

TRISHA KEANU-LUA
P.O. Box 17676
Honolulu, Hawaii 96817

GAYLORD NALANI GLUSHENKO JR.
P.O. Box 17676
Honolulu, Hawaii 96817

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima*

settlement proceeds should be distributed in the following proportions:

TRISHA KEANU-LUA - ONE HALF (1/2)
GAYLORD NALANI GLUSHENKO JR. - ONE HALF (1/2)

(Y) **JOHN IVANIAGE GLUSHENKO**
(Date of Death: August 1, 2019)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(2) **CHILDREN:**

IVAN C. GLUSHENKO
46-229 Kahuhipa Street, Apt. F202
Kaneohe, Hawaii 96744

KAENA T. GLUSHENKO
41-924 Kalaniana'ole Highway
Waimanalo, Hawaii 96795

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

IVAN C. GLUSHENKO - ONE HALF (1/2)
KAENA T. GLUSHENKO - ONE HALF (1/2)

(Z) **JAMES KAHANUI GOMARD**
(Date of Death: August 31, 2013)
(Place of Death: Kailua, Hawaii)

(1) SURVIVING SPOUSE:

MARY L. GOMARD
1015 Aoloa Place, Apt. 413
Kailua, Hawaii 96734

(2) CHILDREN:

JEAN N. KOMETANI
1015 Aoloa Place, Apt. 342
Kailua, Hawaii 96734

MONA G. PARKER
818 Aalapapa Drive
Kailua, Hawaii 96734

KAINA GOMARD
5455 8th Street #85
Carpinteria, California 93013

CAMILLE H. TUPUA
1254 Kuuna Street
Kailua, Hawaii 96734

KIM K. GOMARD (Post-Deceased)
Date of Death: May 9, 2021

(Verified by Certificate of Death filed under seal
herein)

No surviving spouse and no surviving descendants.

No known probate proceedings.

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE:

The deceased class member left a Last Will, which appears to have been validly executed as a testamentary instrument. Said Last Will pours over to the James Kahanui Gomard and Mary Louise Gomard Revocable Living Trust Agreement dated July 11, 1996. True and correct copies of the Last Will and Short Form Trust are collectively attached hereto as Exhibit "R".

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **MARY LOUISE GOMARD, Trustee of the James Kahanui Gomard and Mary Louise Gomard Revocable Living Trust Agreement dated July 11, 1996.**

(AA) **ERMA GOMEZ**

(Date of Death: April 1, 2018)

(Place of Death: Folsom, California)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

KIM CARNAHAN

3690 Camino Hills Drive
Camino, California 95709

YVONNE DE LUZE

2100 Valley View Parkway, Apt. 1022
El Dorado Hills, California 95762

WILLIAM VIERRA DE LUZE, JR. (Pre-Deceased)
Date of Death: October 31, 1985

(Verified by Certificate of Death filed under seal herein)

No spouse and no descendants.

No known probate proceedings.

- (3) **OTHER INTESTATE HEIRS: NONE**
- (4) **PROBATE PROCEEDINGS: NONE**
- (5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, which appears to have been validly executed as a testamentary instrument. Said Last Will pours over to the Erma K. Gomez Revocable Trust dated September 12, 2002. True and correct copies of the Last Will and Certification of Trust are collectively attached hereto as **Exhibit "S"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the **KIM K. CARNAHAN (formerly known as KIM K. BARNES) and YVONNE K. DE LUZE (formerly known as YVONNE K. SABOLBORO), Co-Trustees of the Erma K. Gomez Revocable Trust dated September 12, 2002.**

(BB) **JAMES LLOYD KAUWE**
(Date of Death: June 8, 1999)
(Place of Death: Waianae, Hawaii)

(1) SURVIVING SPOUSE:

VIOLA K. KAUWE
Date of Death: August 4, 2010

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings

Survived by children named below

(2) CHILDREN:

JAMES L. KAUWE JR.
1663 Liholiho Street #3
Honolulu, Hawaii 96822

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

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

YVONNE L.K. MAMARIL
19509 99TH Street Ct. E
Bonney Lake, Washington 98397

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE PRESENTED

Petitioner is informed that all of the deceased class member's children are also the children of the deceased class member's surviving spouse. On the basis of the

foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

JAMES L. KAUWE JR. - ONE-FOURTH (1/4)
KENNETH KAUWE - ONE-FOURTH (1/4)
DONALD KAUWE - ONE-FOURTH (1/4)
YVONNE MAMARIL - ONE-FOURTH (1/4)

(CC) **DERIAH WAHINEAUKAI DEMELLO**
(Date of Death: March 8, 2005)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

DELBERT L. DEMELLO
221 Meadow Lane
Wendell, North Carolina 27591

DERIAH K. AANA
730 Captain Cook Avenue, Apt 425
Honolulu, Hawaii 96813

VANESSA DALE W. DEMELLO
2133 Citron Street Apt. 1
Honolulu, Hawaii 96826

DARRELL DEAN K. DEMELLO
84-708 Farrington Highway, Apt. G
Waianae, Hawaii 96792

DONNA L. DEMELLO
730 Captain Cook Avenue, Apt 132
Honolulu, Hawaii 96813

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

DELBERT L. DEMELLO - ONE-FIFTH (1/5)
DERIAH K. AANA - ONE-FIFTH (1/5)
VANESSA DALE W. DEMELLO - ONE-FIFTH (1/5)
DARRELL DEAN K. DEMELLO - ONE-FIFTH (1/5)
DONNA L. DEMELLO - ONE-FIFTH (1/5)

(DD) LEIMOMI PEARL JOHNSON
(Date of Death: June 28, 2015)
(Place of Death: Paia, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

DERRIN A.K. JOHNSON
111 Kahului Beach Road, Apt. A328
Kahului, Hawaii 96732

HEALOHA P. CARMICHAEL
13660 Hana Highway
Keanae, Hawaii 96708

MICHAEL L. JOHNSON
111 Kahullli Beach, Apt. A328
Kahului, Hawaii 96732

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

DERRIN A.K. JOHNSON - ONE-THIRD (1/3)
HEALOHA P. CARMICHAEL - ONE-THIRD (1/3)
MICHAEL L. JOHNSON - ONE-THIRD (1/3)

(EE) **VIRGIL EMMITT DAY JR.**
(Date of Death: February 9, 2020)
(Place of Death: Kula, Hawaii)

(1) SURVIVING SPOUSE:

CHARMAINE KAILIPAKA-DAY
P.O. Box 434
Kula, Hawaii 96790

(2) CHILDREN:

PATRICK K. DAY
P.O. Box 434
Kula, Hawaii 96790

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to the surviving spouse, **CHARMAINE KAILIPAKA-DAY.**

11. Petitioner is seeking instructions from this Honorable Court to make the disbursements as set forth above.

12. Notice of this Petition is concurrently being served on the parties named above and by publication. A Statement of Service documenting efforts to serve each of the parties named hereinabove will be filed prior to the hearing to be scheduled for this Petition.

13. Pursuant to H.R.S. § 560:1-403, the interests of minors are adequately represented by their respective parents if there is no conflict of interest and no conservator or guardian has been appointed. There appears to be no conflict of interest as the relief requested herein would not result in any adult beneficiary receiving any interest to the detriment of a minor beneficiary.

14. Pursuant to H.R.S. §§ 554D-301 through 304, service by representation is authorized.

WHEREFORE, Petitioner prays that the Court:

- A. Find that jurisdiction and venue are proper;
- B. Set a date, time and place of hearing on this Petition;
- C. Find that a basis exists for instructions;

D. Instruct the Trustee to make the distributions set forth hereinabove;

E. Find that, upon filing proof that the distributions have been made, the beneficiaries' interests in this Trust shall be fully satisfied and the Trustee shall have no further responsibility or liability with respect to such beneficiaries;

F. Award reasonable attorneys' fees and Master fees related to the filing of this Petition, as supported by affidavit or declaration; and

G. Grant such other relief as may be appropriate.

PETITIONER UNDERSTANDS THAT THIS DOCUMENT IS DEEMED TO INCLUDE AN OATH, AFFIRMATION, OR STATEMENT TO THE EFFECT THAT (1) ITS REPRESENTATIONS ARE TRUE AS FAR AS PETITIONER KNOWS OR IS INFORMED, (2) IT IS NOT BEING PRESENTED FOR AN IMPROPER PURPOSE, SUCH AS TO HARASS OR TO CAUSE UNNECESSARY DELAY OR NEEDLESS INCREASE IN THE COST OF LITIGATION, AND (3) THAT PENALTIES FOR PERJURY MAY FOLLOW DELIBERATE FALSIFICATION.

DATED: Honolulu, Hawaii, _____.

SCOTT C. SUZUKI, ESQ., Probate
Special Counsel

Hawaii Probate Rule 5(b) Certification

/s/ Scott C. Suzuki
Scott C. Suzuki

Attorney for Petitioner