

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 #13 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:

THEODORE PHILLIP HINAI MAHELONA, Deceased
DAVEY POMAIKAILANI MAHI, Deceased
ISABELLA MAHI MEDEIROS, Deceased
MICHAEL JAMES EHUKAI MEHAU, Deceased
CLYDE PAUHI MERCK SR., Deceased
LUCY WAINEE MEYER, Deceased
GLENN KAOPUA KAULUKUKUI JR., Deceased
THOMAS LINDSEY MEYERS SR., Deceased
ARTHUR LANAKILA HEANU SR., Deceased
SHARLEEN K. HEANU, Deceased
ARTHUR LANAKILA HEANU JR., Deceased
ELMER KAKAIO, Deceased
MARY MALIA KIPILII, Deceased
FRANCINE KALANI KOMOMUA, Deceased
JOSEPHINE K. KONG, Deceased
RAYMOND NOBLE LOW, Deceased
ELOISE A. AULD, Deceased
FANNY K. AU-HOY, Deceased
LOUISA KAAIHUE ARTATES, Deceased
CHARLES KUPIHEA WARRINGTON, Deceased
DAVELYNN KAOO HARDWICK, Deceased
COLEEN RUTH RIVERA, Deceased
CORBETT O. ROY SR., Deceased
ALEXANDER AH CHUNG WONG YUEN, Deceased
LOUISE WAIKI PEARSON, Deceased
JOLYN S. KIPAPA, Deceased

ARCHANGEL JAMES JOSEPH, Deceased
KELBY KANANI PUNG, Deceased
EDWARD W. PAAHANA JR., Deceased
JESSE K. NAIHE, Deceased
ODELLA PIILANI NAKANELUA, Deceased

The date, time and place for hearing said Petition shall be Friday, NOV 15 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, SEP 13 2024.

S. ADAMS

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
13-SEP-2024
03:49 PM
Dkt. 520 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 #13

HEARING:
DATE: **NOV 15 2024**
TIME: 10:00 a.m.
JUDGE: Hon. Jeannette H.
Castagnetti

ORDER SETTING DATE, TIME AND PLACE
OF HEARING ON PETITION FOR INSTRUCTIONS #13

The PETITION FOR INSTRUCTIONS #13 having been filed on
September 10, 2024, and good cause appearing therefor,

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

NOV 15 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, September 13, 2024



/s/ R. Campos

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 #13.

NOTICE OF ELECTRONIC FILING

**Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
13-SEP-2024
03:49 PM
Dkt. 521 NEF**

An electronic filing was submitted in Case Number 1CTR-23-0000142. You may review the filing through the Judiciary Electronic Filing System. Please monitor your email for future notifications.

Case ID: 1CTR-23-0000142

Title: In the Matter of the Kalima Class Action Settlement Trust, Dated June 23, 2023

Filing Date / Time: FRIDAY, SEPTEMBER 13, 2024 03:49:27 PM

Filing Parties: Scott Suzuki

Case Type: Trust

Lead Document(s):

Supporting Document(s): 520-Order Set Date Time Hrg/Pet

Document Name: 520-Order Setting Date, Time and Place of Hearing on Petition for Instructions #13

If the filing noted above includes a document, this Notice of Electronic Filing is service of the document under the Hawai`i Electronic Filing and Service Rules.

This notification is being electronically mailed to:

First Circuit Court 5th Division (*5thdivision.1cc@courts.hawaii.gov*)

Scott C. Suzuki (*suzukiaaJEFS@gmail.com*)

Emily H. Kawashima (*emily@kawashimalaw.com*)

The following parties need to be conventionally served:

Kalima et al. v. State of Hawaii et al, (Civil No. 99-4771-1

SCOTT C. SUZUKI, ATTORNEY AT LAW

SCOTT C. SUZUKI #8181
NICOLE C. EDWARDS-MASUDA #10287
1013 Poha Lane
Honolulu, Hawaii 96826
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**Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
10-SEP-2024
11:15 AM
Dkt. 494 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. _____
(Trust Proceeding)

PETITION FOR INSTRUCTIONS #13;
EXHIBITS "A" - "N"

HEARING:

DATE: _____

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.
Castagnetti

PETITION FOR INSTRUCTIONS #13

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) **THEODORE PHILLIP HINAI MAHELONA**
(Date of Death: June 25, 2017)
(Place of Death: Waianae, Hawaii)

(1) SURVIVING SPOUSE:

EDWINA M. MAHELONA
86307 Hokuaiaina Place
Waianae, Hawaii 96792

(2) CHILDREN:

PAULA IOANE
86-307 Hokuaiaina Place
Waianae, Hawaii 96792

PATRICK MAHELONA
47-493 Apau Loop
Kaneohe, Hawaii 96744

PETER MAHELONA
89-156 Kawao Avenue
Waianae, Hawaii 96792

THEODORE MAHELONA JR.
86-307 Hokuaiaina Place
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, **EDWINA M. MAHELONA.**

(B) **DAVEY POMAIKAILANI MAHI**
(Date of Death: July 5, 2020)
(Place of Death: Hilo, Hawaii)

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

KILILANI MAHI
P.O. Box 1445
Keaau, Hawaii 96749

NICOLE MAHI
90 Pakele Lane
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 in the following proportions:

KILILANI MAHI - ONE-HALF (1/2)
NICOLE MAHI - ONE-HALF (1/2)

- (C) **ISABELLA MAHI MEDEIROS**
(Date of Death: September 23, 2020)
(Place of Death: Kapaau, Hawaii)

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

ALBERT MEDEIROS JR.
95-1113 Kihene Street
Mililani, Hawaii

PATRICK MEDEIROS
P.O. Box 465
Hawi, Hawaii 96719

PATRICIA KALUAU
P.O. Box 473
Kapaau, Hawaii 96755

JOANNE OLSON
16 Glacier Avenue #15
Fairbanks, Alaska 99701

SANDRA MOSSES
P.O. Box 231
Kurtistown, Hawaii 96760

SUSAN NAUKA
P.O. Box 222
Hawi, Hawaii 96719

DEBRA MEDEIROS
P.O. Box 478
Hawi, Hawaii 96719

JOELYN COITO
P.O. Box 964
Kapaau, Hawaii 96755

ANUHEA SPIES
70A Apoki Street
Hilo, Hawaii 96720

DENNIS MEDEIROS (Pre-Deceased)
Date of Death: August 2, 2016

(Verified by Certificate of Death filed under seal herein)

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 in the following proportions:

ALBERT MEDEIROS JR. - ONE-NINTH (1/9)
PATRICK MEDEIROS - ONE-NINTH (1/9)
PATRICIAL KALUA'U - ONE-NINTH (1/9)
JOANNE OLSON - ONE-NINTH (1/9)

SANDRA MOSSES - ONE-NINTH (1/9)
SUSAN NAUKA - ONE-NINTH (1/9)
DEBRA MEDEIROS - ONE-NINTH (1/9)
JOELYN COITO - ONE-NINTH (1/9)
ANUHEA SPIES - ONE-NINTH (1/9)

(D) **MICHAEL JAMES EHUKAI MEHAU**
(Date of Death: March 10, 2004)
(Place of Death: Kamuela, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

ANNA K. PARKHURST
16919 21st Avenue SW
Burien, Washington 98166

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

(4) **PROBATE PROCEEDINGS:**

ANNA K. PARKHURST (formerly **ANNA K. MEHAU**) was informally appointed Personal Representative of the deceased class member's estate on March 8, 2006 in Probate No. 06-1-0058, in the State of Hawaii Circuit Court of the Third Circuit. A true and correct copy of the Letters of Administration issued to **ANNA K. MEHAU** is attached hereto as **Exhibit "A"**.

Upon Petitioner's review of the public record, it does not appear that the administration of the deceased class

member's estate was completed and the probate matter has been terminated.

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

As provided in Probate No. 06-1-0058, the deceased class member died intestate and was survived by his only child, **ANNA K. PARKHURST** (formerly known as **ANNA K. MEHAU**). On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **ANNA K. PARKHURST**.

(E) CLYDE PAUHI MERCK SR.
(Date of Death: June 21, 2001)
(Place of Death: Pahoehoe, Hawaii)

(1) SURVIVING SPOUSE:

KEAKEALANI MARION MERCK
P.O. Box 796
Burney, California 96013

(2) CHILDREN:

JEANNETTE H. SPENCER
P.O. Box 23
Hat Creek, California 96040

CLYDENE ANDRADE
P.O. Box 1607
Keaau, Hawaii 96749

KATHERINE JOHNSON
1008 SE 12th Street
Wagoner, Oklahoma 74467

KARLTON BRUNS
41378 Kingston Lyons Drive SE
Stayton, Oregon 97383

WILLIAM MERCK
91-314 Pupu Place
Ewa Beach, Hawaii 96706

CLYDE MERCK, JR.
161345 Coral Drive
Keaau, Hawaii 96749

MONIQUE MERCK
P.O. Box 614
Kapaau, Hawaii 96755

COLINDA KIHE III
P.O. Box 6485
Kamuela, Hawaii 96743

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

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, **KEAKEALANI MARION MERCK.**

(F) **LUCY WAINEE MEYER**
(Date of Death: March 30, 2021)
(Place of Death: Hilo, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

LIONEL MEYER
4245 Kupu Honua Lane
Hilo, Hawaii 96720

KAREN MEYER
General Delivery
Pepeekeo, Hawaii 96783

ELVIRA PUBLICO (Pre-Deceased)
Date of Death: March 22, 2021

(Verified by obituary published by the Hawaii Tribune-Herald)

No known probate proceedings.

Survived by:

SCOTT PUBLICO (Descendant)
81 Kaulike Street
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 in the following proportions:

LIONEL MEYER - ONE-THIRD (1/3)

KAREN MEYER - ONE-THIRD (1/3)
SCOTT PUBLICO - ONE-THIRD (1/3)

(G) **GLENN KAOPUA KAULUKUKUI JR.**
(Date of Death: July 3, 2018)
(Place of Death: Kapaa, Hawaii)

(1) SURVIVING SPOUSE:

KATHLEEN P. KAULUKUKUI
P.O. Box 171
Kapaa, Hawaii 96746

(2) CHILDREN:

KAIEA M. KAULUKUKUI (Post-Deceased)
Date of Death: January 22, 2022

(Verified by Medical Examiner's Report dated January 18,
2022, filed under seal herein)

No known probate proceedings.

Survived by:

SEAN LUEAHU KAULUKUKUI KIM (Descendant)
19008 22nd Avenue E. Tacoma
Tacoma, Washington 98445

WINTER K. BAKER
2777 S. Arizona Avenue
Chandler, Arizona 85286

KALANI A ROWLAND
2777 S. Arizona Avenue
Chandler, Arizona 85286

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

Petitioner is informed that the deceased class member was survived by children who are not also the children of his surviving spouse. On the basis of the foregoing, and in consideration of the amount of settlement funds due to the deceased class member, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in the following proportions:

KATHLEEN P. KAULUKUKUI - FIRST \$100,000, plus one-half (1/2) the balance

SEAN LUEAHU KAULUKUKUI KIM - ONE-SIXTH (1/6) OF THE BALANCE

WINTER K. BAKER - ONE-SIXTH (1/6) OF THE BALANCE

KALANI A. ROWLAND - ONE-SIXTH (1/6) OF THE BALANCE

(H) **THOMAS LINDSEY MEYERS SR.**
(Date of Death: May 1, 2010)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

TAMMY UILANI MEYERS (Post-Deceased)
Date of Death: March 24, 2021

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

No known probate proceedings.

Survived by:

KELVIN ONGORY-MATSUSHIMA (Descendant)
c/o Oahu Community Correctional Center
2199 Kamehameha Highway
Honolulu, Hawaii 96819

(2) **CHILDREN:**

MONA LISA K. LONG

98-945 Moanalua Road #705
Aiea, Hawaii 96701

GLENN K. MEYERS

98-945 Moanalua Road #705
Aiea, Hawaii 96701

TRINIDAD SEPTIMO

388 Hoomalu Street
Pearl City, Hawaii 96782

CARL A.K. MEYERS

86-311 Hokupaa Street
Waianae, Hawaii 96792

BUSHROD G.K. MEYERS

89-432 Haleakala Avenue
Waianae, Hawaii 96792

DEBBIE MEYERS (Post-Deceased)

Date of Death: July 16, 2018

(Verified by Certificate of Death filed under seal
herein)

No known probate proceedings.

No spouse and no descendants.

CHARMAIN LITETO KAHALAMAPUANA MEYERS (Pre-Deceased)

Date of Death: May 29, 2009

(Verified by Certificate of Death filed under seal
herein)

No known probate proceedings.

No spouse and no descendants.

THOMAS L.K. MEYERS (Post-Deceased)

Date of Death: May 22, 2002

(Verified by Certificate of Death filed under seal herein)

No Known Probate Proceedings

Survived By:

MONIC H.K. MEYERS (Descendant)
89-225 Mano Avenue
Waianae, Hawaii 96792

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

Petitioner is informed that the deceased class member was survived by children who are not also the children of his surviving spouse, **TAMMY UILANI MEYERS**. Considering the amount of settlement funds due to the deceased class member, Petitioner believes that the deceased class member's share of the settlement proceeds would be distributed entirely to **TAMMY UILANI MEYERS**. However, since **TAMMY UILANI MEYERS** is now also deceased, her estate should control distribution of the funds.

Petitioner is further informed that **TAMMY UILANI MEYERS** died intestate and was survived by one descendant, **KELVIN ONGORY-MATSUSHIMA**. On the basis of the

foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **KELVIN ONGORY-MATSUSHIMA**.

- (I) **ARTHUR LANAKILA HEANU SR.**
(Date of Death: June 10, 2017)
(Place of Death: Ewa Beach, Hawaii)

(1) **SURVIVING SPOUSE:**

SHARLEEN KAWAINUI HEANU (Post-Deceased)
Date of Death: January 21, 2024

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived by children named below.

(2) **CHILDREN:**

GILBERT K. HEANU
P.O. Box 970902
Waipahu, Hawaii 96797

GLENN I. HEANU
94-820 Awane Street, Apt.402
Waipahu, Hawaii 96797

JADELYN K. HEANU (Post-Deceased)
Date of Death: December 12, 2022

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

ARTHUR LANAKILA HEANU, JR. (Post-Deceased)
Date of Death: May 20, 2023

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

(3) OTHER INTESTATE HEIRS:

RUSSELL W.K. HEANU (Grandson / Devisee of the Last Will and Testament of Sharleen K. Heanu)
91-1159 Kamakana Street #128
Ewa Beach, Hawaii 96706

KYLE W.I. HEANU (Grandson / Devisee of the Last Will and Testament of Sharleen K. Heanu)
8725 Oak Lawn Street
Las Vegas, Nevada 89148

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE:

The deceased class member executed a Last Will on or about November 20, 2006. This instrument appears to have been validly executed and devises the deceased class member's estate to his surviving spouse, **SHARLEEN KAWAINUI HEANU**, and is attached hereto as Exhibit "B".

SHARLEEN KAWAINUI HEANU is now deceased. Petitioner therefore believes that her estate should govern the distribution of the deceased class member's share of the

proceeds. **SHARLEEN KAWAINUI HEANU** is also a *Kalima* claimant and her claim is described below, in Paragraph (J) of the present Petition. **SHARLEEN KAWAINUI HEANU** left a Last Will dated November 20, 2006. Said Last Will appears to have been validly executed as a testamentary instrument. Said Last Will is submitted herewith as **Exhibit "C"**.

Said Last Will of **SHARLEEN KAWAINUI HEANU**, at article "THIRD", devises the residuary estate to her husband, who predeceased her. The contingent devise specified under said Last Will may result in a partial intestacy. Seventeen percent (17%) is directed to "**ARTHUR L. HEANU, JR.**, and not his heirs". Because **ARTHUR L. HEANU, JR.** predeceased **SHARLEEN KAWAINUI HEANU**, leaving no descendants, this devise would fail and should be considered a part of **SHARLEEN KAWAINUI HEANU**'s intestate estate.

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

the Last Will of **SHARLEEN KAWAINUI HEANU**, and in the following proportions:

GILBERT K. HEANU - FORTY AND ONE-HALF PERCENT (40.5%)
GLENN I. HEANU - TWENTY-FIVE AND ONE-HALF PERCENT (25.5%)
RUSSELL W.K. HEANU - SEVENTEEN PERCENT (17%)
KYLE W.I. HEANU - SEVENTEEN PERCENT (17%)

(J) **SHARLEEN K. HEANU**
(Date of Death: January 21, 2024)
(Place of Death: Pearl City, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

GILBERT K. HEANU
P.O. Box 970902
Waipahu, Hawaii 96797

GLENN I. HEANU
94-820 Awane'i Street, Apt.402
Waipahu, Hawaii 96797

JADELYN K. HEANU (Pre-Deceased)
Date of Death: December 12, 2022

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

ARTHUR L. HEANU, JR. (Pre-Deceased)
Date of Death: May 20, 2023

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

(3) OTHER INTESTATE HEIRS:

RUSSELL W.K. HEANU (Grandson / Devisee)
91-1159 Kamakana Street #128
Ewa Beach, Hawaii 96706

KYLE W.I. HEANU (Grandson / Devisee)
8725 Oak Lawn Street
Las Vegas, Nevada 89148

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE:

The deceased class member left a Last Will dated November 20, 2006. Said Last Will appears to have been validly executed as a testamentary instrument. Said Last Will is submitted herewith as **Exhibit "C"**. Said Last Will, at article "THIRD", devises the residuary estate to the class member's husband, who predeceased the class member. The contingent devise specified under said Last Will may result in a partial intestacy. Seventeen Percent (17%) is directed to "**ARTHUR L. HEANU, JR.**, and not his heirs". Because **ARTHUR L. HEANU, JR.** predeceased the class member, leaving no descendants, this devise would fail and should be considered a part of the intestate estate of the class member.

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:

GILBERT K. HEANU - FORTY AND ONE-HALF PERCENT (40.5%)
GLENN I. HEANU - TWENTY-FIVE AND ONE-HALF PERCENT (25.5%)
RUSSELL W.K. HEANU - SEVENTEEN PERCENT (17%)
KYLE W.I. HEANU - SEVENTEEN PERCENT (17%)

(K) **ARTHUR LANAKILA HEANU JR.**
(Date of Death: May 20, 2023)
(Place of Death: Waipahu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:** NONE

(3) **OTHER INTESTATE HEIRS:**

SHARLEEN KAWAINUI HEANU (Post-Deceased Mother)
Date of Death: January 21, 2024)

(Verified by Certificate of Death filed under seal herein)

Survived by:

GILBERT K. HEANU (Descendant)
P.O. Box 970902
Waipahu, Hawaii 96797

GLENN I. HEANU (Descendant)
94-820 Awane Street, Apt.402
Waipahu, Hawaii 96797

JADELYN K. HEANU (Pre-Deceased Sister)
Date of Death: December 12, 2022

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse and no descendants.

RUSSELL W.K. HEANU (Nephew / Devisee of the Last Will of SHARLEEN KAWAINUI HEANU)
91-1159 Kamakana Street #128
Ewa Beach, Hawaii 96706

KYLE W.I. HEANU (Nephew / Devisee of the Last Will of SHARLEEN KAWAINUI HEANU)
8725 Oak Lawn Street
Las Vegas, Nevada 89148

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

Petitioner is informed that the deceased class member died intestate but was survived by his mother, **SHARLEEN KAWAINUI HEANU**, who is now deceased. Petitioner therefore believes that her estate should govern the distribution of the deceased class member's share of the proceeds. **SHARLEEN KAWAINUI HEANU** is also a *Kalima* claimant and her claim is described in Paragraph (J) of the present Petition. **SHARLEEN KAWAINUI HEANU** left a Last Will dated November 20, 2006. Said Last Will appears to have been validly executed as a testamentary instrument. Said Last Will is submitted herewith as **Exhibit "C"**.

Said Last Will of **SHARLEEN KAWAINUI HEANU**, at article "THIRD", devises the residuary estate to her husband, who predeceased her. The contingent devise specified under said Last Will may result in a partial intestacy. Seventeen percent (17%) is directed the deceased class member: "to **ARTHUR L. HEANU, JR.**, and not his heirs". Because the deceased class member predeceased **SHARLEEN KAWAINUI HEANU**, leaving no descendants, this devise would fail and should be considered a part of **SHARLEEN KAWAINUI HEANU**'s intestate estate.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed pursuant to the Last Will of **SHARLEEN KAWAINUI HEANU**, and in the following proportions:

GILBERT K. HEANU - FORTY AND ONE-HALF PERCENT (40.5%)
GLENN I. HEANU - TWENTY-FIVE AND ONE-HALF PERCENT (25.5%)
RUSSELL W.K. HEANU - SEVENTEEN PERCENT (17%)
KYLE W.I. HEANU - SEVENTEEN PERCENT (17%)

(L) **ELMER KAKAIO**
(Date of Death: May 6, 2000)
(Place of Death: Santa Clara, California)

(1) SURVIVING SPOUSE:

VIOLET ALBON KAKAIO (Post-Deceased)
Date of Death: July 22, 2021
Place of Death: Cupertino, California

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived by children named below.

(2) CHILDREN:

VALERIE NOHEA KAKAIO SUPAN (Post-Deceased)
Date of Death: August 18, 2014

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived by:

BRADFORD P. SUPAN (Spouse)
835 Bing Drive #23
Santa Clara, California 95051

No descendants

RUSS KAKAIO
8090 SW 129th Terrace Road
Dunnellon, Florida 34432

SOLOMON KAKAIO
1235 Morningside Drive
Sunnyvale, California 94087

JOHN KAKAIO
19600 NE 3rd Street, Apt. 140
Camas, Wisconsin 98607

MATTHEW KAKAIO
8090 SW 129th Terrace Road

Dunnellon, Florida 34432

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

The deceased class member died intestate and was survived by his spouse, **VIOLET ALBON KAKAIO**, who is now also deceased. All of the deceased class member's children are also the children of **VIOLET ALBON KAKAIO**. Petitioner therefore believes that the deceased class member's share of the settlement would be distributed to **VIOLET ALBON KAKAIO** and her estate should control the further distribution of the settlement funds.

Petitioner has been presented with a document entitled, "Family Trust of Elmer E. Kakaio and Violet A. Kakaio" dated August 23, 2018 (the "Family Trust"), a true and correct copy of which is attached hereto as **Exhibit "D"**. **JOHN B. KAKAIO** is a trustee for said Family Trust. Said Family Trust at Article II, Paragraph G distributes the trust estate to the descendants of the deceased class member's surviving spouse, **VIOLET KAKAIO**. These descendants are **RUSS KAKAIO, SOLOMON KAKAIO, JOHN KAKAIO**

and **MATTHEW KAKAIO**. Although **VALERIE NOHEA KAKAIO-SUPAN** survived the deceased class member, she failed to survive **VIOLET KAKAIO**. The terms of the Family Trust are consistent with the intestacy of **VIOLET KAKAIO**. **JOHN B. KAKAIO** also informed Petitioner that the Family Trust had been fully administered and dissolved.

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 beneficiaries of the **Family Trust of Elmer E. Kakaio and Violet A. Kakaio dated August 23, 2018**, who would take in the following proportions:

RUSS KAKAIO - ONE-FOURTH (1/4)
SOLOMON KAKAIO - ONE-FOURTH (1/4)
JOHN KAKAIO - ONE-FOURTH (1/4)
MATTHEW KAKAIO - ONE-FOURTH (1/4)

(M) **MARY MALIA KIPILII**
(Date of Death: January 7, 2010)
(Place of Death: Waianae, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

CANDACE L. BRADLEY
85-1030 Hoomaluhia Street
Waianae, Hawaii 96792

CARLA L. BELASKI
85-210 Limakokua Place
Waianae, Hawaii 96792

KATHLEEN K. ANDERSON
4600 Davis Avenue, Suite 301
Renton, Washington 98055

CHARLES V. KIPILII (Post-Deceased)
Date of Death: May 22, 2016

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

No known probate proceedings.

Survived By:

ROXANNE KIPILII (Spouse)
91-1007 Auhola Street
Ewa Beach, Hawaii 96706

CHARLES KIPILII JR. (Descendant)
94-1016 Maiau Street, Apt. B
Waipahu, Hawaii 96797

CHARLEEN KIPILII-TUCKER (Descendant)
23131 S Warmstone Way
Katy, Texas 77494

VICTORIA KIPILII (Descendant)
517 Camino Real Court, Apt. B
Brandon, Florida 33510

CHANTEL TOLENTINO (Descendant)
91-1418 Maliko Street
Ewa Beach, Hawaii 96706

BREE KIPILII (Descendant)
91-1007 Auhola Street
Ewa Beach, Hawaii 96706

(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 equally among her descendants. Because her son, **CHARLES V. KIPILII** subsequently passed away, his estate would further govern the administration of the settlement proceeds to which he would be entitled. Petitioner has not been presented with any will or trust for **CHARLES V. KIPILII**. Petitioner understands that **CHARLES V. KIPILII's** descendants are the same as the decedents of his surviving spouse, and that his surviving spouse would therefore be entitled to his intestate estate.

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:

CANDACE L. BRADLEY - ONE-FOURTH (1/4)
CARLA L. BELASKI - ONE-FOURTH (1/4)
KATHLEEN K. ANDERSON - ONE-FOURTH (1/4)
ROXANNE KIPILI - ONE-FOURTH (1/4)

(N) **FRANCINE KALANI KOMOMUA**
(Date of Death: July 28, 2019)
(Place of Death: Kailua, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

SHANNON K.K. BAKER
156 Kihapai Street #C
Kailua, Hawaii 96734

JOSEPH N. KOMOMUA IV
2458 Aumakua Street
Pearl City, Hawaii 96782

NATALIA K. KOMOMUA
2458 Aumakua Street
Pearl City, Hawaii 96782

JOSEPH N. KOMOMUA V
2350 Komomai Drive
Pearl City, Hawaii 96782

SHAYDEN K.K. BAKER KOMOMUA
156 Kihapai Street #C
Kailua, Hawaii 96734

(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:

SHANNON K.K. BAKER - ONE-FIFTH (1/5)
JOSEPH N. KOMOMUA IV - ONE-FIFTH (1/5)

NATALIA K. KOMOMUA - ONE-FIFTH (1/5)
JOSEPH N. KOMOMUA V - ONE-FIFTH (1/5)
SHAYDEN K.K. BAKER KOMOMUA - ONE-FIFTH (1/5)

(0) JOSEPHINE K. KONG
(Date of Death: August 12, 2021)
(Place of Death: Hilo, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

JADEEN Y. KONG WEBSTER
P.O. Box 4792
Hilo, Hawaii 96720

HENRENE Y. HO
P.O. Box 10336
Hilo, Hawaii 96721

ALEKA J. KONG KITAGIRI
45-627 Uhilehua Street
Kaneohe, Hawaii 96744

NOELLA J. KONG
c/o Tamashiro Sogi & Bonner, ALC
705 South King Street, Suite 105
Honolulu, Hawaii 96813

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS:

NOELLA JO KONG has been appointed as Personal Representative of the deceased class member's estate in Probate No. 1CLP-23-0000728, filed in the Circuit Court of the First Circuit, State of Hawaii. A true and correct copy of the Letters Testamentary is attached hereto as Exhibit "E".

(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 **NOELLA JO KONG, Personal Representative of the Estate of JOSEPHINE KANOELEHUA LIKE KONG.**

(P) **RAYMOND NOBLE LOW**
(Date of Death: **March 30, 2023**)
(Place of Death: **Honolulu, Hawaii**)

(1) **SURVIVING SPOUSE: NONE**

(2) **CHILDREN:**

RAYE NAKAGAWA
3241 Brokaw Street
Honolulu, Hawaii 96815

SHARI VASCONCELLOS
5647 Anolike Place
Honolulu, Hawaii 96821

ANGEL LARKIN
3128 S. Honeysuckle Court
Gold Canyon, Arizona 85118

(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:

RAYE NAKAGAWA - ONE-THIRD (1/3)
SHARI VASCONCELLOS - ONE-THIRD (1/3)
ANGEL LARKIN - ONE-THIRD (1/3)

(Q) **ELOISE A. AULD**
(Date of Death: June 23, 2015)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

CHUCK KAUI AULD
1240 Manu Aloha Street, B
Kailua, Hawaii 96734

JOY MIKILANI KOEHLER
41-041 Ehukai Street
Waimanalo, Hawaii 96795

DANNIELE NOHEALANI HIRONAKA
1919 Citron Street, Apt. 903
Honolulu, Hawaii 96826

CHELSEA AULD-DUONG
7034 Toll Mountain Street
N. Las Vegas, Nevada 89086

MICHAEL KAWIKA AULD
Date of Death: April 2, 2001 (Pre-Deceased)

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

No spouse or descendants.

SAMUELIN L.K. KOZLOWSKI (Pre-Deceased)

Date of Death: May 19, 2004

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived By:

CHRISTIAN K. KOZLOWSKI (Spouse)

1259 Uluwahahele Street

Kailua, Hawaii 96734

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 in the following proportions:

CHUCK KAUI AULD - ONE-FOURTH (1/4)

JOY MIKILANI KOEHLER - ONE-FOURTH (1/4)

DANNIELE NOHEALANI HIRONAKA - ONE-FOURTH (1/4)

CHELSEA KULAMANU - ONE-FOURTH (1/4)

- (R) **FANNY K. AU-HOY**
(Date of Death: August 1, 2023)
(Place of Death: Kailua-Kona, Hawaii)

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

HENRIETTA K. PLOMER
1218 Mokapu Boulevard
Kailua, Hawaii 96734

LESLIE K. AU HOY
c/o Kimberly A. Jackson, Esq.
75-5782 Kuakini Highway, Suite C-2
Kailua-Kona, Hawaii 96740

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

(4) **PROBATE PROCEEDINGS:**

LESLIE KAUKOLU AU HOY has been appointed as Personal Representative of the deceased class member's estate in Probate No. 3CLP-23-0000356, filed in the Circuit Court of the Third Circuit, State of Hawaii. A true and correct copy of the Letters Testamentary issued to **LESLIE KAUKOLU AU HOY** is attached hereto as **Exhibit "F"**.

(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 **LESLIE KAUKOLU AU HOY, Personal Representative of the Estate of Fanny K. Au Hoy.**

(S) **LOUISA KAAIHUE ARTATES**
(Date of Death: April 19, 2023)
(Place of Death: Kahului, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

LOURDES K. GOUVEIA
301 Hololani Street
Pukalani, Hawaii 96768

PERRY ARTATES
P.O. Box 1067
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 in the following proportions:

LOURDES K GOUVEIA - ONE-HALF (1/2)
PERRY ARTATES - ONE-HALF (1/2)

(T) **CHARLES KUPIHEA WARRINGTON**
(Date of Death: January 31, 2011)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

HAUMEA MARK WARRINGTON
909 Kahuna Lane, Apt. 105
Honolulu, Hawaii 96826

CHARLES KUPIHEA WARRINGTON, JR. (Post-Deceased)

Date of Death: July 1, 2012

(Verified by obituary published online by Dodo Mortuary, Inc. & Crematory)

HEDWIG NAKOOLANI WARRINGTON was informally appointed Personal Representative of the Estate of **CHARLES KUPIHEA WARRINGTON, JR.** on March 12, 2014 in Probate No. 3LP141000063, in the Circuit Court of the Third Circuit, State of Hawaii. A true and correct copy of the Letters of Special Administration are attached hereto as **Exhibit "G"**.³ The Letters expired on March 12, 2017 and administration of this Estate was never completed.

Survived by:

HEDWIG NAKOOLANI WARRINGTON (Spouse)

516 Auwae Road
Hilo, Hawaii 96720

KUPIHEA WARRINGTON (Descendant)

516 Auwae Road
Hilo, Hawaii 96720

KINOHI WARRINGTON (Descendant)

516 Auwae Road
Hilo, Hawaii 96720

KALIKOLEHUAOPANA `EWA WARRINGTON FATAFEHI

(Descendant)

99-258 Ohialomi Place
Aiea, Hawaii 96701

WENDELL WARRINGTON (Pre-Deceased)

Date of Death: June 26, 2004

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

³ Petitioner notes that the heading of this document reads, "Letters of Special Administration", which is likely a typographical error as the body of the document identifies it as the "Letters of Administration". Furthermore, the Letters were issued following the submission of an Application for Informal Appointment of Personal Representative (Without Will) on March 10, 2014.

No known probate proceedings.

Survived by:

HOLLY WARRINGTON (Spouse)
90 Central Avenue
Wailuku, Hawaii 96793

KAEA WARRINGTON (Descendant)
2630 Maunawai Street, Apt. F
Honolulu, Hawaii 96826

KEONI WARRINGTON (Descendant)
1702 Overfield Drive SE
Grand Rapids, Michigan 49508

QUINCY WARRINGTON (Descendant)
2110 Kahekili Highway, Unit A
Wailuku, Hawaii 96793

KAMALEI WARRINGTON (Descendant)
90 Central Avenue
Wailuku, Hawaii 96793

NATALIE WARRINGTON (Descendant)
94-626 Lumiaina Street, Apt. H201
Waipahu, Hawaii 96797

- (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 sole devisee under the Last Will is the Charles K.

Warrington and Mary G. Warrington Joint Revocable Trust dated September 4, 2006. **HEDWIG N. WARRINGTON** is the Trustee of said Trust. True and correct copies of the Last Will and the Charles K. Warrington and Mary G. Warrington Joint Revocable Trust dated September 4, 2006 are collectively attached hereto as **Exhibit "H"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed in accordance with the deceased class member's last will, to **HEDWIG N. WARRINGTON, Trustee of the Charles K. Warrington and Mary G. Warrington Joint, Revocable Trust dated September 4, 2006.**

(U) **DAVELYNN KAO HARDWICK**
(Date of Death: April 13, 2022)
(Place of Death: Visalia, California)

(1) SURVIVING SPOUSE:

ITULA SUAFOA
56 Waipono Lane, Apt. 104
Wailuku, Hawaii 96793

LONNIE CECIL HARDWICK
648 N Rosalind Avenue
Rialto, California 92376

(2) CHILDREN:

ELENITA K. SUAFOA

205 Hammock Trl E. Apt. L220
Freeport, Florida 32439

ITULA K. SUAFOA JR.

62 Hokulani Street
Hilo, Hawaii 96720

KEITH E. SUAFOA

P.O. Box 1834
Kaunakakai, Hawaii 96748

SELEGA K. SUAFOA YANEZ

450 North Alice Street
Dinuba, California 93618

ANDREW M. SUAFOA

42 One Malia Way
Wailuku, Hawaii 96793

DIANA M. LIMA (Pre-Deceased)

Date of Death: February 3, 2014

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

No known probate proceedings.

Survived By:

ANO`I K. LIMA-ENGLISH (Descendant)

P.O. Box 1022
Kaunakakai, Hawaii 96748

HALIAKA LIMA-ENGLISH (Descendant)

91-1033 Kahanalei Street
Kaunakakai, Hawaii 96748

TA`UA LIMA-ENGLISH (Descendant)

P.O. Box 1570
Kaunakakai, Hawaii 96748

DAVID LIMA-ENGLISH (Descendant)

P.O. Box 1022
Kaunakakai, Hawaii 96748

DYLAN LIMA-ENGLISH (Descendant)
P.O. Box 1022
Kaunakakai, Hawaii 96748

SHAWN-ISAAC WISE (Descendant)
89-316 Kauwahi Avenue
Waianae, Hawaii 96792

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

Both **ITULA SUAFOA** and **LONNIE CECIL HARDWICK** are reported as the deceased class member's surviving spouse. Petitioner is informed that **ITULA SUAFOA** is the deceased class member's first spouse. The deceased class member initiated a divorce proceeding in San Bernadino, California in 2002, but her divorce from **ITULA SUAFOA** was never finalized. According to the Nevada Vital Records & Statistics Office, the deceased class member later married **LONNIE CECIL HARDWICK** on January 1, 2004. True and correct copies of the divorce docket in Case No. SBFSS65931 (Superior Court of California - County of San Bernadino) and the Nevada Marriage Record are collectively attached hereto as **Exhibit "I"**.

It would appear then that the deceased class member's subsequent marriage to **LONNIE CECIL HARDWICK** may have been illegitimate if the deceased class member was, in fact, still legally married to **ITULA SUAFOA**. Petitioner is further informed that the deceased class member was survived by children who are not also the children of **ITULA SUAFOA** nor **LONNIE CECIL HARDWICK**.

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

- ITULA SUAFOA - First \$100,000, plus ONE-HALF (1/2) balance**
- ELENITA K. SUAFOA - 1/12 of the balance**
- ITULA K. SUAFOA JR. - 1/12 of the balance**
- KEITH E. SUAFOA - 1/12 of the balance**
- SELEGA K. SUAFOA YANEZ - 1/12 of the balance**
- ANDREW M. SUAFOA - 1/12 of the balance**
- ANO`I K. LIMA-ENGLISH - 1/72 of the balance**
- HALIAKA LIMA-ENGLISH - 1/72 of the balance**
- TA`UA LIMA-ENGLISH - 1/72 of the balance**
- DAVID LIMA-ENGLISH - 1/72 of the balance**
- DYLAN LIMA-ENGLISH - 1/72 of the balance**
- SHAWN-ISAAC WISE - 1/72 of the balance**

- (V) **COLEEN RUTH RIVERA**
(Date of Death: February 19, 2013)
(Place of Death: Wailuku, Hawaii)

- (1) **SURVIVING SPOUSE:**

RONALD RAYMOND RIVERA SR.
3483 Kehekili Highway
Kapaa, Hawaii 96746

(2) CHILDREN:

MICHELE SPACEK
94-291 Mahina Hou Street
Mililani, Hawaii 96789

RONALD RIVERA JR.
125 Kahiko Street
Kapaa, Hawaii 96746

BRANNON RIVERA
3288 Kanakolu Street
Lihue, Hawaii 96766

(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 her surviving spouse, **RONALD RAYMOND RIVERA SR.**

(W) **CORBETT O. ROY, SR.**
(Date of Death: September 7, 2015)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

CORBETT O. ROY, JR.
6799 Hawaii Kai Drive

Honolulu, Hawaii 96825

STEPHANIE K. ROY-HUSSEY
1231 S 121ST Plaza Apt. 209
Omaha, Nebraska 68144

- (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:

CORBETT O. ROY, JR. - ONE-HALF (1/2)
STEPHANIE K. ROY-HUSSEY - ONE-HALF (1/2)

- (X) **ALEXANDER AH CHUNG WONG YUEN**
(Date of Death: September 26, 1998)
(Place of Death: Kealahou, Hawaii)

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

TURVELYN K. WONG YUEN
74-5146 Puuolokaa Place
Kailua-Kona, Hawaii 96740

GREGORY A. WONG YUEN
74-5146 Puuolokaa Place
Kailua-Kona, Hawaii 96740

CHAUNCEY T. WONG YUEN
74-5084 Hanahanai Loop
Kailua-Kona, Hawaii 96740

CATHY K. WONG YUEN
74-5146 Puuolokaa Place
Kailua-Kona, Hawaii 96740

MARCUS M. WONG YUEN (Post-Deceased)
(Date of Death: April 14, 2019)

(Verified by Certificate of Death filed under seal herein)

No known probate proceedings.

Survived by:

DEBRA FAYE BEAUDET WONG YUEN (Spouse)
64-154 Puupulehu Loop
Kamuela, Hawaii 96743

RYAN WONG YUEN (Descendant)
64-154 Puupulehu Loop
Kamuela, Hawaii 96743

MARCUS WONG YUEN (Descendant)
64-154 Puupulehu Loop
Kamuela, Hawaii 96743

SHAYNE WONG YUEN (Descendant)
64-154 Puupulehu Loop
Kamuela, Hawaii 96743

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS:

The deceased class member's estate was the subject of Probate No. 3LP990000106, filed in the Circuit Court of the Third Circuit, State of Hawaii. A true and correct copy of the deceased class member's Last Will admitted to probate therein is attached hereto as **Exhibit "J"**. Said Will devises the residuary estate to the deceased

class member's spouse, **MARY K. WONG YUEN**, if she survives. Because she did not survive, said Will devises the residuary estate equally among the deceased class member's children, each of whom survived the deceased class member. One of his children, **MARCUS M. WONG YUEN**, has subsequently passed away, and was survived by his spouse, **DEBRA FAYE BEAUDET WONG YUEN**. Petitioner is informed that **MARCUS M. WONG YUEN** died intestate.

(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".

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 in the following proportions:

TURVELYN K. WONG YUEN - ONE-FIFTH (1/5)
GREGORY A. WONG YUEN - ONE-FIFTH (1/5)
CHAUNCEY T. WONG YUEN - ONE-FIFTH (1/5)
CATHY K. WONG YUEN - ONE-FIFTH (1/5)
DEBRA FAYE BEAUDET WONG YUEN - ONE-FIFTH (1/5)

(Y) LOUISE WAIKI PEARSON
(Date of Death: July 7, 1993)
(Place of Death: Hilo, Hawaii)

(1) SURVIVING SPOUSE: NONE

(2) CHILDREN:

MILO KUUALOHA NAU
367 Todd Avenue
Hilo, Hawaii 96720

KELLEY L. MALUO-PEARSON
149 Limu Ele Ele Street
Wailuku, Hawaii 96793

(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:

MILO KUUALOHA NAU - ONE-HALF (1/2)
KELLEY L. MALUO-PEARSON - ONE-HALF (1/2)

(Z) JOLYN S. KIPAPA
(Date of Death: July 5, 2014)
(Place of Death: Waimanalo, Hawaii)

(1) SURVIVING SPOUSE:

GEORGE KURT K. KIPAPA
41-215 Paupahapaha Place
Waimanalo, Hawaii 96795

(2) CHILDREN:

GEORGE K.K.K. KIPAPA
41-215 Paupahapaha Place
Waimanalo, Hawaii 96795

KURLYN H.S.K.K. KIPAPA
P.O. Box 720
Hauula, Hawaii 96717

JOSEPH K. KIPAPA
41-215 Paupahapaha Place
Waimanalo, Hawaii 96795

NATASHA N.K.A. OLAIVAR
41-680 Kaaumana Place
Waimanalo, Hawaii 96795

MICHAEL P. KIPAPA
4757 SW 141st Avenue
Beaverton, Oregon 97005

KEONI B.A. MENDIOLA
47-346 Waihee Road
Kaneohe, Hawaii 96744

JOHNACA A.L. MENDIOLA
47-711 Akakoa Place
Kaneohe, Hawaii 96744

DEZERIE M.A. KIPAPA
84-954 Hana Street
Waianae, Hawaii 96792

JOHN A.M. MENDIOLA
46-255 Kahuhipa Street, Apt. A502
Kaneohe, Hawaii 96744

TAYLOR J.K. KIPAPA
3313 Park Drive
Santa Ana, California 92707

KAANOI I. KIPAPA
94-206 Aniani Place, Apt. 102
Waipahu, Hawaii 96797

KYLEE P. OLAIVAR
41-680 Kaaumana Place
Waimanalo, Hawaii 96795

MALAKAI K. KIPAPA
873 Prairie Grass Drive
Las Vegas, Nevada 89123

ELIJAH P. KIPAPA
94-206 Aniani Place, Apt. 102
Waipahu, Hawaii 96797

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS:

The deceased class member's estate was the subject of a probate proceeding filed in the Circuit Court of the First Circuit, State of Hawaii in Probate No. 14-1-0451. Letters of Administration were issued to the deceased class member's surviving spouse, **GEORGE KURT K. KIPAPA** on or about October 8, 2014. The authority of the Personal Representative has since expired. A true and correct copy of said Letters of Administration are attached hereto as **Exhibit "K"**.

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

Pursuant to the Order Granting Petition to Transfer from Informal to Formal Proceeding and for Authority to Compromise Claims filed in Probate No. 14-1-0451 on November 12, 2015, the net balance of a settlement involving the deceased class member's estate was directed to the deceased class member's surviving spouse, **GEORGE KURT K. KIPAPA**. A true and correct copy of said Order is 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 the surviving spouse, **GEORGE KURT K. KIPAPA**.

(AA) **ARCHANGEL JAMES JOSEPH**
(Date of Death: February 19, 2006)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

FABIAN S. SABALLA
84-465 Jade Street
Waianae, Hawaii 96792

CHARLES ALLAN JOSEPH, SR. (Post-Deceased)
Date of Death: May 10, 2021

(Verified by Certificate of Death filed under seal herein)

Survived By:

LAVERN JOSEPH (Spouse)
84-839 Fricke Street
Waianae, Hawaii 96792

CHARLES A. JOSEPH, JR. (Descendant)
84-839 Fricke Street
Waianae, Hawaii 96792

JANELLE S.A. KAWAI (Descendant)
84-839 Fricke Street
Waianae, Hawaii 96792

JAMES MICHAEL JOSEPH (Pre-Deceased)
Date of Death: August 2, 2009

(Verified by obituary published online by Legacy Remembers)

Survived by Descendants:

MICHIKO JOSEPH
87-142 Kulahanai Place
Waianae, Hawaii 96792

KIMIKO JOSEPH
87-1055 Hakimo Road
Waianae, Hawaii 96792

JAMES MICHAEL JOSEPH, JR.
84-473 Upena Street
Waianae, Hawaii 96792

BRONSON ARCHANGEL JOSEPH NASH
c/o Hawaii State Hospital
45-710 Keaahala Road
Kaneohe, Hawaii 96744

KENJI KEOLA NASH JOSEPH
84-465 Jade Street
Waianae, Hawaii 96792

BRENON KILI-NOE JOSEPH NASH

c/o Oahu Community Correctional Center
2199 Kamehameha Highway
Honolulu, Hawaii 96819

STERLING KIYOSHI JOSEPH (Pre-Deceased)

Date of Death: September 13, 2003

(Verified by obituary published online by the Honolulu Advertiser)

Survived by Descendants:

STARLYN JOSEPH

84-182 Kepue Place
Waianae, Hawaii 96792

FAYE JOSEPH

84-182 Kepue Place
Waianae, Hawaii 96792

JANET JOSEPH

84-182 Kepue Place
Waianae, Hawaii 96792

KIYOMI JOSEPH

84-182 Kepue Place
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 will, which was not admitted to probate. Said will is a pour-over will, which directs the deceased class member's residuary estate to his revocable living trust. True and correct copies of the Last Will and Testament of Archangel James

Joseph and the Short Form Trust Agreement of the Archangel James Joseph Revocable Living Trust dated September 1, 2005 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 **FABIAN SETSUKO SABALLA, Trustee of the Archangel James Joseph Revocable Living Trust dated September 1, 2005.**

(BB) **KELBY KANANI PUNG**
(Date of Death: October 22, 2013)
(Place of Death: Hilo, Hawaii)

(Verified by obituary published online by Dodo Mortuary)

(1) SURVIVING SPOUSE:

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

(2) CHILDREN:

ELDEN KANANI PUNG
50 Maile Street, Apt. 44
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 the surviving spouse, **DONNA PUNG**.

(CC) **EDWARD W. PAAHANA JR.**
(Date of Death: June 25, 2006)
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(2) **CHILDREN:**

NITAYA M. PAAHANA
9900 NE 124th Street # B134
Kirkland, Washington 98034

(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 **NITAYA M. PAAHANA**.

(DD) **JESSE K. NAIHE**
(Date of Death: August 20, 2006)
(Place of Death: Doylestown, Pennsylvania)

(1) **SURVIVING SPOUSE:**

BLANCHE N. NAIHE
1837 Lower State Road
Doylestown, Pennsylvania 18901

(2) CHILDREN:

JESSE K.K. NAIHE
3005 Oakwood Drive
Jacksonville, North Carolina 28540

MAELING N. NAIHE-SUMMERFORD
152 Avis Drive
Newport, North Carolina 28570

FRANCHESTA K. BENTON
4191 Sunnyside Drive
Doylestown, Pennsylvania 18902

CHARMINE M. LEAL
1418 Locust Street
Norristown, Pennsylvania 19401

JULIE L. HENDER
94 Woodside Avenue
Chalfont, Pennsylvania 18914

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS: NONE

(5) LAST WILL NOT ADMITTED TO PROBATE: NONE

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, **BLANCHE N. NAIHE**.

(EE) **ODELLA PIILANI NAKANELUA**
(Date of Death: March 12, 2023)
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

GORDON KALEOLANI NAKANELUA
87-162 Pualeilani Street
Waianae, Hawaii 96792

(2) CHILDREN:

BRANDON K. NAKANELUA
87-162 Pualeilani Street
Waianae, Hawaii 96792

BRIEANNE K. NAKANELUA
87-162 Pualeilani Street
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 November 3, 1992. Said last will has not been admitted to probate, but appears to have been validly executed as a testamentary instrument. Said last will is a pour-over will, directing the residuary estate to be distributed to the Odella P. Nakanelua Trust dated November 3, 1992. **GORDON KALEOLANI NAKANELUA** is the trustee of said Trust. The Last Will and Short Form Trust are collectively attached hereto as **Exhibit "N"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **GORDON KALEOLANI NAKANELUA, Trustee of the Odella P. Nakanelua Trust dated November 3, 1992.**

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.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK
SIGNATURE(S) TO FOLLOW]

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, September 10, 2024.

/s/ Scott C. Suzuki
SCOTT C. SUZUKI, ESQ., Probate
Special Counsel

Hawaii Probate Rule 5(b) Certification

/s/ Scott C. Suzuki
Scott C. Suzuki

Attorney for Petitioner

NOTICE OF ELECTRONIC FILING

Electronically Filed
FIRST CIRCUIT
1CTR-23-0000142
10-SEP-2024
11:15 AM
Dkt. 498 NEF

An electronic filing was submitted in Case Number 1CTR-23-0000142. You may review the filing through the Judiciary Electronic Filing System. Please monitor your email for future notifications.

Case ID: 1CTR-23-0000142

Title: In the Matter of the Kalima Class Action Settlement Trust, Dated June 23, 2023

Filing Date / Time: TUESDAY, SEPTEMBER 10, 2024 11:15:01 AM

Filing Parties: Scott Suzuki

Case Type: Trust

Lead Document(s): 494-Petition for _____

Supporting Document(s): 495-Certificate of Death

496-Certificate of Death

497-Certificate of Death

Document Name: 494-Petition for Instructions #13; Exhibits "A"-"N"

495-Certificates of Death Relating to Petition for Instructions #13 [Part 1 of 3]

496-Certificates of Death Relating to Petition for Instructions #13 [Part 2 of 3]

497-Certificates of Death Relating to Petition for Instructions #13 [Part 3 of 3]

If the filing noted above includes a document, this Notice of Electronic Filing is service of the document under the Hawai'i Electronic Filing and Service Rules.

This notification is being electronically mailed to:

First Circuit Court 5th Division (*5thdivision.1cc@courts.hawaii.gov*)

Scott C. Suzuki (*suzukiaalJEFS@gmail.com*)

Emily H. Kawashima (*emily@kawashimalaw.com*)

The following parties need to be conventionally served:

Kalima et al. v. State of Hawaii et al, (Civil No. 99-4771-1

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