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PROBATE SPECIAL MASTER

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

IN THE MATTER

OF

THE KALIMA CLASS ACTION
SETTLEMENT TRUST DATED JUNE 23,
2023.

T. No. 1CTR-23-0000142
(Trust)

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR
INSTRUCTIONS #26, FILED
JANUARY 9, 2026; CERTIFICATE
OF SERVICE**

Hearing:

Date: May 1, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #26**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #26, filed January 9, 2026 (the "Petition"), and respectfully submits this Report.

I. INTRODUCTION

This Master was appointed by *Joint Order Adopting Settlement Special Master's Findings and Recommendations and Appointing Probate Special Master* (the "Appointment Order") [Dkt. 1617], filed on March 3, 2023, in *Kalima v. Hawaii*, Civ. No. 99-4771-12 LWC

(“Kalima”), for the purposes set forth in the Appointment Order, as well as by the *Omnibus Order Re: Kalima Class Qualified Settlement Trust Proceedings*, filed on December 29, 2023 [Dkt.12] (“Omnibus Order”), entered herein to examine and report on the Petitions for Instructions filed in this proceeding. The Omnibus Order requests that your Master: (1) examine and report findings and recommendations to the Court on all Petitions and any other relevant matters in this Trust proceeding as deemed appropriate by the Master or the Court; (2) provide periodic status reports to the Court; and (3) address any outstanding issues contained in the Petitions or other pleadings filed in this proceeding.

This Report is filed pursuant to Rules 28 and 29 of the Hawai‘i Probate Rules.

Probate Special Counsel Scott C. Suzuki, Esq. and the proposed beneficiaries of the Trust Petitioners, as noted below, appear in these proceedings.

Your Master has examined the pleadings and their respective exhibits, in addition to other documents, most of which are listed below. Your Master has corresponded with some individuals and now provides the following findings and recommendations.

Those who have an interest in these proceedings are invited to attend the hearing on May 1, 2026, at 10:00 a.m., at 777 Punchbowl Street, Honolulu, Hawaii, Fourth Floor or may participate via Zoom. Instructions are included with this Report. Attendance is not required and is completely voluntary.

II. DOCUMENTS EXAMINED AND OTHER RESEARCH

Your Master examined, among other things, the following pleadings and documents:

- Petition for Instructions #26, filed January 9, 2026, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on January 28, 2026 and February 4, 2026;

- Omnibus Order Re: Kalima Class Qualified Settlement Trust Proceedings, filed on December 29, 2023;
- Kalima Qualified Settlement Trust, attached to the Omnibus Order (“QST”);
- Probate Plan, attached to the Omnibus Order;
- Facilitator database, Epic Claims Administrator; and
- Exhibits and objections submitted to the Claims Administrator.

A. Interviews

Your Master corresponded with a few individuals related to each Deceased Class Member, as fully outlined below. On occasion, your Master is unable to make contact with a family member prior to filing her Report. In these instances, your Master makes several attempts to call or email the family members based on the contact information provided in the Facilitator database. Your Master relies on family members who receive and read the Report to contact your Master, if necessary. If additional information is discovered, your Master will supplement her Report prior to the hearing date.

B. Efforts to Locate Wills

Several of the deceased Class Members died intestate. In a typical probate proceeding seeking adjudication of intestacy, the Court will inquire about the efforts to locate a Will. As this is not a typical probate proceeding, the Claims Administrator Representative, Robert Coomes, filed a declaration on December 21, 2023, detailing all of the efforts they have made to give notice to Class Members and the deceased Class Members’ families. [Dkt. 3] They were asked to provide all relevant estate planning information and documents to the Claims Administrator. The same information is posted on the Kalima Lawsuit website that is available to the public. There is a toll-free phone number to contact the Claims Administrator. Given the

number of notices and efforts made by the Claims Administrator, your Master believes that deceased Class Members' families have had ample notice to provide a Will or Trust for their decedent, if one exists.

Furthermore, the family will receive a copy of this Report. If the decedent is noted to be intestate, but there actually is a Will or Trust in existence, your Master requests that the family contact your Master, Probate Special Counsel, or appear at the Court hearing.

III. BACKGROUND

As the Court is aware, the purpose of these Petitions for Instructions is to provide an efficient and cost-effective yet accurate procedure to identify the proper heirs and devisees of those Kalima Class Members who are no longer living. Probate Special Counsel has researched each Deceased Class Member's family background based on self-reporting, database information, court records, and oral history. Probate Special Counsel has also provided notice of the Probate Plan, Qualified Settlement Trust, and notice of this hearing by U.S. Postal mail, publication of notice in the Honolulu Star-Advertiser, and links to the documents on the Kalima-lawsuit.com website.

Probate Special Counsel published Notice of the hearing on this Petition #26 in the Honolulu Star-Advertiser on January 28, 2026 and February 4, 2026. Your Master is satisfied that all interested parties were provided adequate notice of this hearing, and that jurisdiction and venue are proper pursuant to HRS §554D-201-203.

(A) MARILYN PAMELA FRYAR

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Joseph Kenneth Fryar who died after the decedent. There was no will or trust submitted.

Because the surviving spouse died after the decedent, his estate controls. Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. Joseph Fryar left a Will and Trust. Your Master reviewed the Last Will and Testament of Joseph Kenneth Fryar, February 7, 2018, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Joseph Kenneth Fryar Trust, dated February 7, 2018.

The Trust indicates that Amy Melelani Massengill Yamamoto is the current Trustee. Copies of the Will and the Trust are attached as Exhibit "A" to Petition #26.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **AMY MELELANI MASSENGILL YAMAMOTO, as Trustee of the Joseph Kenneth Fryar Revocable Living Trust dated February 7, 2018**, to be distributed in accordance with the terms of the Trust.

(B) **DAVID KUAIAINA KELEPINE LOPES JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Juana Anna Kahiwalani Merseburgh, also known as Juana K. Lopes. Your Master spoke to Vanessa Pascual who verified that her father did not have a will or trust and that her mother is the surviving spouse and parent to her and her siblings. She also noted that the correct spelling of her siblings are Verrina Sacaspanio and Vynida K. Lopes.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the decedent's surviving spouse, **JUANA K. LOPES**.

(C) **LUANA PI'ILANI CHOW**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. Your Master recently learned that two of the descendants, Nylene Paulo and Catherine Chow, are now deceased. When more information is received, Your Master will supplement her report accordingly.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and

convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the *Kalima* settlement proceeds should be distributed as follows:

DONDALE HOOVER – ONE-FOURTH (1/4)
HEIRS OF NYLYNE BOYSEY PAULO – ONE-FOURTH (1/4)
HENRIETTA LORENZO – ONE-FOURTH (1/4)
HEIRS OF CATHERINE CHOW – ONE-FOURTH (1/4)

(D) **NAOMI NAHAOLELUA MUNEKATA**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent’s descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent’s settlement to the heirs/ devisees of the deceased Class Member as “established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the *Kalima* settlement proceeds should be distributed as follows:

MOANA L. VIERRA – ONE-THIRD (1/3)
MYRA N. MUNEKATA – ONE-THIRD (1/3)
MARK MUNEKATA – ONE-THIRD (1/3)

~~(E) — **BENJAMIN DANIEL NIHI (Included in prior Petition)**~~

(F) **DAVID MICHAEL KAILIO**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Jeri Jean M. Siobal, also known as Jeri Jean Kailio. There was no will or trust submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-102(1), under the laws of intestacy, when all of the decedent's surviving descendants are also descendants of the surviving spouse, and there is no other descendant of the surviving spouse, then the intestate share goes to the decedent's surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed to surviving spouse **JERIJEAN KAILIO.**

(G) **SOLOMON KAHAILIOPUA NAONE**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widower.

Your Master reviewed the Last Will and Testament of Solomon Kahailiopua Naone, dated October 28, 2003, which has not been admitted to probate but directs the residue of the estate to be devised to David Mikela Naone, Sr. The Will is attached as Exhibit "B" to Petition #26.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **DAVID MIKELA NAONE SR.**

(H) **SNIFFEN JOSEPH**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Gwendolyn Ishihara, also known as Gwendolyn Leinaala Joseph, who died after the decedent.

Your Master reviewed the Order of Formal Probate of Will, Determination of Testacy and Heirs and Appointment of Personal Representative; Last Will and Testament of Sniffen Kekuhoupiookalani Joseph, filed September 19, 1989. Exhibit "C" to Petition #26. The Will named the decedent's surviving spouse, Gwendolyn Leinaala Joseph as his sole devisee.

The surviving spouse had a Will and Trust. Your Master reviewed the Last Will and Testament of Gwendolyn L. Joseph, dated December 22, 1993, and the Third Amendment and Restatement of the Gwendolyn L. Joseph Revocable Trust, dated January 2, 2009. Exhibit "D" to Petition #26. The Will is a pour over will and directs the residuary estate to the Gwendolyn L. Joseph Revocable Trust.

The Third Amendment to the Trust does not indicate who is the next-acting Trustee. The Trust indicates that the residue shall be distributed equally to the Grantor's five children. Sniffen Joseph died after his mother and did not leave a spouse or descendants. His share shall lapse to

his other siblings. Jonathan K. S. Joseph, Sr. died after his mother and left a surviving spouse who shall be entitled to her spouse's share.

Paragraph 1-5.1(B)(2) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "adjudicated in such deceased Class Member's probate proceeding."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

GWENDOLYN L. KURAHARA – ONE-FOURTH (1/4)
WHITNEY L. JOSEPH – ONE-FOURTH (1/4)
ANNETTE I. WHITE – ONE-FOURTH (1/4)
RUTH K. CIPRIANO – ONE-FOURTH (1/4)

(I) **ELLIOTT KUULEI WHITFORD**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **AVALANCHE A. BENTO.**

(J) **META ANN LEINAALA HASNETT**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Samuel H. Hasnett. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Jo-Addie Brown. She confirmed that her mother did not have a Will or Trust and that she and her brother are the descendants of the decedent but not the descendants of the surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the decedent's surviving spouse, **SAMUEL H. HASNETT**.

(K) **EDWARD R. KAIWI**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Tahamaruihi

Kaiwi. She confirmed that her father did not have a Will or Trust and that she and her three siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed as follows:

TAHAMARUIHI KAIWI – ONE-FOURTH (1/4)
TEATATANAROA KAIWI – ONE-FOURTH (1/4)
WAHINE O TE TAI KAIWI – ONE-FOURTH (1/4)
TAIHONU KAIWI – ONE-FOURTH (1/4)

(L) **AUDREY ODELIA AKINA**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Charles Akina who died after the decedent. No Will or Trust has been submitted. Your Master was unable to contact a family member. Since the surviving spouse died after the decedent, his estate controls. Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Of the four descendants, Joseph L. Makahilahila predeceased his father and mother and left no spouse or descendants and James Kimo Francis Akina died after his father and mother and left no spouse or descendants. Both of their shares shall lapse to their surviving siblings.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

CHARLES AKINA III – ONE-HALF (1/2)
ADRIANNA H. AKINA – ONE-HALF (1/2)

(M) **JAMES KIMO FRANCIS AKINA**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Never Married. No Will or Trust has been submitted.

Pursuant to HRS §560:2-103(f), if a decedent is not survived by a descendant or parent but is survived by one or more descendants of a deceased parent, the intestate estate shall pass by representation to the surviving descendants of the decedent's deceased parents.

The decedent had three siblings. Joseph L. Makahilahila predeceased the descendant and left no spouse or descendants. His share shall lapse to his surviving siblings.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

CHARLES AKINA III – ONE-HALF (1/2)
ADRIANNA H. AKINA – ONE-HALF (1/2)

(N) **EUGENE KALEIALOHA KAIWI**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Never Married. No Will or Trust has been submitted. Your Master spoke to the decedent's niece, Kehaulani Kaiwi. She confirmed that her uncle did not have a Will or Trust and that his two children are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

MISTY U. KAIWI – ONE-HALF (1/2)
BENE HAKAKA KAIWI – ONE-HALF (1/2)

(O) **MANUEL MALDONADO, JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Lisa M. Frank.

She confirmed that her father did not have a Will or Trust and that she and her six siblings are the only descendants of the decedent. Her predeceased sibling Murial Maldonado Maxwell predeceased the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. One of the descendants predeceased the decedent and her share shall go to her descendant, Tyler Singleman-Maxwell.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

LISA M. FRANK – ONE-SEVENTH (1/7)
LURLINE K. RAMOS – ONE-SEVENTH (1/7)
APRIL M. MALDONADO – ONE-SEVENTH (1/7)
MANUEL K. MALDONADO – ONE-SEVENTH (1/7)
JOANN SHIMODA – ONE-SEVENTH (1/7)
CARMELITA C. MALDONADO – ONE-SEVENTH (1/7)
TYLER L. SINGLEMAN-MAXWELL – ONE-SEVENTH (1/7)

(P) **MYRA KAMALOLO LUX**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

The decedent had five children. Dara K. McCormick and Girard K. Meyer both predeceased the decedent and did not leave spouses or descendants. Rochelle K. Fernandes died after the decedent and did not leave a spouse or descendants. Their shares shall lapse to the surviving descendants.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

BLAKE H. MEYER – ONE-HALF (1/2)
COURTNEY K. MEYER – ONE-HALF (1/2)

~~(Q) **VICTORIA KUULANI WINCHESTER** (Included in a previous Petition)~~

(R) **KAMAILEOHUALALAI MARY SHOAF**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Robert A. H. Shoaf, Sr., who died after the decedent. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Because the surviving spouse died after the decedent, his estate controls. He had remarried to Leilani Richardson.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the surviving spouse of the decedent's surviving spouse, **LEILANI RICHARDSON**.

(S) **KEKUHOUMANA H. KAAHEA**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to William Woods. There was no will or trust submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-102(1), under the laws of intestacy, when all of the decedent's surviving descendants are also descendants of the surviving spouse, and there is no other descendant of the surviving spouse, then the intestate share goes to the decedent's surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to surviving spouse, **WILLIAM WOODS**.

(T) **JAMES KIMOKEO JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The California death record does not indicate marital status. There was no will or trust submitted. Debora Kimokeo informed me that the decedent did not have a surviving spouse and that she is the spouse of the decedent's only child.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed to descendant, **JAMES O. KIMOKEO.**

(U) **HANNAH HAILI YONG**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's obituary does not note a surviving spouse. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Kealoha Bagood. She confirmed that her mother did not have a Will or Trust and she was widowed at the time of death. She also confirmed that she and her sister are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

MAHELE NITAHARA – ONE-HALF (1/2)
KEALOHA BAGOOD – ONE-HALF (1/2)

(V) **RONALD KUUALOHA KAOHELALUII**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Elaine Stevens Hunter also known as Elaine Bravo. Your Master also reviewed the Letters Testamentary, filed on May 23, 2024, in Case No. 24-4-03728-1 SEA, in the Superior Court of the State of Washington for the County of King. Exhibit "E" of Petition #26.

Paragraph 1-5.1(B)(1) of the QST instructs the Trustee to distribute the decedent's settlement consistent with the open probate proceeding.

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **IGNACIO E. BRAVO, Executor of the Estate of Ronald K. Kaohelaulii, for administration in accordance with the laws governing the estate's administration.**

(W) **THOMAS KEKONA JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Cheryl Miller, also known as Cheryl Kekona.

Your Master reviewed the Last Will and Testament of Thomas Kekona dated March 20, 2007, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Thomas and Cheryl Kekona Living Trust, dated March 20, 2007.

The Trust indicates that Cheryl Kekona is the Trustee. Copies of the Will and the Trust are attached as Exhibit "F" to Petition #26.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **CHERYL KEKONA, Trustee of the Thomas and Cheryl Kekona Living Trust dated March 20, 2007**, to be distributed in accordance with the terms of the Trust.

(X) **DAVID KAHULI PAEA JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master spoke to the decedent's son, Matthew N. Paea. He confirmed that his father did not have a Will or Trust and that he and his brother are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and

convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the *Kalima* settlement proceeds should be distributed as follows:

MATTHEW N. PAEA – ONE-HALF (1/2)
DAVID KAHULI PAEA III – ONE-HALF (1/2)

(Y) **ALEXANDER AH SING AKUNA JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Janet Cabos, also known as Janet Akuna. There was no will or trust submitted. Your Master spoke to the decedent’s daughter, Leilani K. Akuna. She confirmed that her father did not have a Will or Trust and that she is the descendant of the decedent and surviving spouse. Her two older brothers are the descendants of the decedent and a different mother.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent’s settlement to the heirs/ devisees of the deceased Class Member as “established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the *Kalima* settlement proceeds should be disbursed to the decedent’s surviving spouse, **JANET R. AKUNA.**

(Z) **JORDAN KALUNA, JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Arlene Leilani Pangorang, also known as Arlene Leilani Avilla. There was no will or trust submitted. Your Master spoke to the decedent's son, Jordan Kaluna Avilla, III. He confirmed that his father did not have a Will or Trust and that he and his six siblings are the descendants of the decedent and his surviving spouse.

Pursuant to HRS §560:2-102(1), under the laws of intestacy, when all of the decedent's surviving descendants are also descendants of the surviving spouse, and there is no other descendant of the surviving spouse, then the intestate share goes to the decedent's surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed to surviving spouse,

ARLENE LEILANI AVILLA.

(AA) **SHARON KAUALANI NAU**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Sione Halahuni Nau. There was no will or trust submitted. Your Master was unable to contact a family member.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the decedent's surviving spouse, **SIONE HALAHUNI NAU**.

(BB) **MOSES KAPALEKILAHAO KEALE SR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Dianne L. Severn, also known as Dianne L. Severn Keale. There was no will or trust submitted. Your Master was unable to contact a family member.

Pursuant to HRS §560:2-102(1), under the laws of intestacy, when all of the decedent's surviving descendants are also descendants of the surviving spouse, and there is no other descendant of the surviving spouse, then the intestate share goes to the decedent's surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and

convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member’s share of the Kalima settlement proceeds should be distributed to surviving spouse, **DIANNE L. SEVERN KEALE.**

(CC) **FRANCIS WAYNE SANTIAGO**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Lien H. Tijo, who died after the decedent. No Will or Trust has been submitted. Your Master spoke to Alohalani Santiago who confirmed that her father did not have a Will or a Trust and that she and her sister Wendy are the only descendants of Lien Tijo.

Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, the surviving spouse is entitled to receive the first of a certain dollar amount. However, since the surviving spouse died after the decedent, her estate controls. Your Master has confirmed that the settlement award does not exceed that amount. Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent’s descendants in equal shares.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent’s settlement to the heirs/ devisees of the deceased Class Member as “established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees.”

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed as follows:

WENDY MACAHELEG – ONE-HALF (1/2)
ALOHALANI SANTIAGO – ONE-HALF (1/2)

(DD) **SWEENEY AKINA AH SIU JR.**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Beverly Ann Ferreira, also known as Beverly Ann Ah Siu. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Arcene McShane. She said that she believed her father may have had a Will and Trust. She is following up and will submit what she has. Depending on the documents that are submitted, it may change your Master's recommendation. She also confirmed that she and her three siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-102(1), under the laws of intestacy, when all of the decedent's surviving descendants are also descendants of the surviving spouse, and there is no other descendant of the surviving spouse, then the intestate share goes to the decedent's surviving spouse.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to surviving spouse,
BEVERLY ANN AH SIU.

(EE) **GARY HOOHENO KAWAAKOA**

Your Master reviewed the facts contained in Petition #26 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Hilda Naone, also known as Hilda Naone Kawaakoa. There was no will or trust submitted. Your Master spoke to the decedent's surviving spouse. She confirmed that her husband did not have a Will or Trust and that she and the decedent have three children together and that she has two from a previous marriage.

Pursuant to HRS §560:2-102(3), since the surviving spouse has descendants who are not also descendants of the decedent, the surviving spouse is entitled to receive the first of a certain dollar amount. Your Master has confirmed that the settlement award does not exceed that amount.

Paragraph 1-5.1(B)(3) of the QST instructs the Trustee to distribute the decedent's settlement to the heirs/ devisees of the deceased Class Member as "established by clear and convincing evidence as ordered by the Probate Court... following service of appropriate notice to the heirs and purported devisees."

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the Kalima settlement proceeds should be distributed to surviving spouse,
HILDA NAONE KAWAAKOA.

IV. CONCLUSION

WHEREFORE, your Master recommends and prays as follows:

A. That the Court approve and adopt this Master's Report Re: Petition for Instructions #26;

- B. That the Court grant the Petition for Instructions #26, filed January 9, 2026;
- C. That the Court find that jurisdictional requirements have been met and the venue is proper;
- D. That the Court finds that, as far as known, all persons necessary to an adjudication of this matter are parties hereto and shall be bound by all orders arising from this Petition, and the Court finds that there is no need to appoint a guardian ad litem to represent the interests of unknown or unascertained contingent remainder beneficiaries;
- E. That the Court authorize and Order the Claims Administrator to follow the distributions as outlined in this Report;
- F. That the Court award the Petitioner's reasonable attorneys' fees and costs to be paid by the Trust and deducted from the above beneficiaries' distributions on a pro-rata basis, subject to the filing of an affidavit or declaration;
- G. That the Court grant reasonable Master's fees and costs, to be paid by the Trust and deducted from the above beneficiaries' distributions on a pro-rata basis, subject to the filing of an affidavit or declaration;
- H. That the Court enter judgment as to this Petition pursuant to Hawai'i Probate Rule 34(a) accordingly; and
- I. That the Court grant such other and further relief as this Court may deem just and equitable.

DATED: Honolulu, Hawai'i, on April 1, 2026.

/s/ Emily H. Kawashima
EMILY H. KAWASHIMA
PROBATE SPECIAL MASTER

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)

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a file-marked copy of the foregoing document will be duly served by depositing the same in the United States Mail, postage prepaid, on the following identified interested persons.

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DATED: Honolulu, Hawaii, April 1, 2026.

/s/ Emily H. Kawashima

EMILY H. KAWASHIMA
Probate Special Master