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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 #24, FILED
OCTOBER 1, 2025; EXHIBIT "1";
CERTIFICATE OF SERVICE**

Hearing:

Date: November 21, 2025

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #24**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #24, filed October 1, 2025 (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 November 21, 2025, at 10 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 #24, filed October 1, 2025, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on October 21, 2025 and October 28, 2025;

- 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 #24 in the Honolulu Star-Advertiser on October 21, 2025 and October 28, 2025. 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) JONAH KAAIALII

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as married to Marge Kaaialii, who died after the decedent. No Will or Trust has been submitted for either. Your

Master received correspondence from the decedent's son, Mitchell Kaaialii. He confirmed that his parents did not have a Will or Trust. He also confirmed that he and Daniel Kaaialii are descendants of Jonah and Marge Kaaialii. Dale Fisher is a descendant of Marge Kaaialii but not of Jonah Kaaialii.

Because the surviving spouse died after the decedent, her 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. The decedent and his spouse had four children. Jennifer Lee Leilani Kaaialii died after both parents and did not have a spouse or descendants. Therefore her share reverts to her three 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:

DALE A. FISHER – ONE-THIRD (1/3)
DANIEL KAAIALII – ONE-THIRD (1/3)
MITCHELL KAAIALII – ONE-THIRD (1/3)

(B) MOSES KALANI BERNABE

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. No Will or Trust has been submitted. Your Master corresponded with the decedent's daughter, Annikka Burchill, who 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. One of the decedent's children, Micah Bernabe, died after the decedent. His share therefore passes to his surviving spouse, Holly Bernabe.

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:

NICOLE BERNABE – ONE-FOURTH (1/4)
JOETTE JORGENSEN – ONE-FOURTH (1/4)
ANNIKKA BURCHILL – ONE-FOURTH (1/4)
HOLLY BERNABE – ONE-FOURTH (1/4)

(C) JOSEPHINE PUNINANI BIRD

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed.

Your Master reviewed the Will of Josephine P. Bird, dated April 10, 2002, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Josephine P. Bird Trust, dated November 19, 1991, as amended.

The Third Amendment to the Trust indicates that Jennifer M. Young is the next-acting Trustee. Copies of the Will and the Third Amendment to the Trust, dated April 18, 2002, are attached as Exhibit "A" to Petition #24. Your Master also attaches the Fourth and Fifth Amendments to the Trust which do not alter the Successor Trustee. See Exhibit 1.

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 **JENNIFER M. YOUNG, Trustee under the Josephine P. Bird Trust dated November 19, 1991, as amended**, to be distributed in accordance with the terms of the Trust.

(D) MAMIE K. PATE

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's Social Security record does not indicate marital status at the time of death. 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.

Because the one of the descendants, Brenda Bishaw-Sakumoto, died after the decedent, her surviving spouse would receive her share. However, her spouse then died after her and they left no descendants. The surviving spouse had no other living family. Under the HRS §560:2-105, "[i]f there is no taker under the provisions of this article, the intestate estate passes to the State."

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."

The law typically disfavors escheat because any doubt about whether property is subject to escheat is resolved in favor of the property owner, not the state. Escheat, where the state takes ownership of property when there are no heirs or claimants, is considered a last resort. Here, it would be inequitable to allow the underlying Defendant, the State of Hawaii, to have the settlement funds returned to them in this instance. Equity favors the settlement funds being distributed to the last known heir of the deceased class member since one is still living.

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 **EUNICE L. PATE.**

(E) ELIZABETH KEAKEALANI AMARAL

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Edmond Amaral, who died after the decedent. No Will or Trust has been submitted for either. Your Master received additional documents from Benjamin Amaral, who is the grandson of the decedent and son of predeceased descendant, Shawn H. Amaral. Shawn had two children, Benjamin and Edmond Pomaikai Kaleihua Amaral. Benjamin provided his birth certificate and his brother's death certificate which are both being filed under seal. He also confirmed that his brother Edmond died intestate and had no spouse or descendants.

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. With regard to the descendants of Shawn Amaral, Edmond's share will go to his brother Benjamin.

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:

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.

BUDDY AMARAL – ONE-SIXTH (1/6)
MOSES K. NAONE – ONE-SIXTH (1/6)
HOLLY N. KUEHU – ONE-SIXTH (1/6)
NALANI CLINE – ONE-SIXTH (1/6)
BENJAMIN AMARAL – ONE-SIXTH (1/6)
JAMES M.K. AMARAL – ONE-EIGHTEENTH (1/18)
SHAWN P. AMARAL – ONE-EIGHTEENTH (1/18)
BUDDY K. AMARAL – ONE EIGHTEENTH (1/18)

(F) VERNON D. KEPAA

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Divorced. No Will or Trust has been submitted. Your Master was informed by the decedent’s daughter, Danalynn Kepaa that her father did not have a Will or Trust. She also informed that Keri Jean K. Kepaa is the biological child of the decedent, but that the decedent’s parents legally adopted her. Pursuant to HRS §560:2-125(c), Keri Jean K. Kepaa may still inherit from her biological father.

Your Master reviewed the Vernon D. Kepa’s Living Trust, dated October 28, 2016, and attached as Exhibit “B.” As noted in the Petition, the Trust does not designate how to distribute the residuary. As there has been no Will located or provided, the laws of intestacy should govern.

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:

KERI JEAN K. KEPAA – ONE-THIRD (1/3)
DANALYNN KEPAA – ONE-THIRD (1/3)
ZEDA CAMPBELL– ONE-THIRD (1/3)

(G) LEILA ANN MARKHAM

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. Your Master spoke to Kim Markham, spouse of Richard Markham, who confirmed that the decedent did not have a Will or Trust and that Richard is her only sibling.

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 one sibling.

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 **RICHARD D. MARKHAM.**

(H) CHERLYN MAPUANA YUK LIN KUOHA LOGAN

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Roland Maiola Logan, who died after the decedent. No Will or Trust has been submitted for either. Your Master spoke to the decedent's son, Lance Logan. He confirmed that his mother and father did not have a Will or Trust and that he and his three siblings are the only descendants of the decedent.

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.

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:

CARL KALANI WILSON – ONE-FOURTH (1/4)
LANCE MAIOLA LOGAN – ONE-FOURTH (1/4)
BYRON LOGAN – ONE-FOURTH (1/4)
LYON B. NAINOA LOGAN – ONE-FOURTH (1/4)

(I) ROLAND MAIOLA LOGAN

Your Master reviewed the facts contained in Petition #24 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, Lance Logan. He confirmed that his mother and father did not have a Will or Trust and that he and his 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:

CARL KALANI WILSON – ONE-FOURTH (1/4)
LANCE MAIOLA LOGAN – ONE-FOURTH (1/4)
BYRON LOGAN – ONE-FOURTH (1/4)
LYON B. NAINOA LOGAN – ONE-FOURTH (1/4)

(J) ROLAND A. LOGAN

Your Master reviewed the facts contained in Petition #24 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 brother, Lance Logan. He confirmed that his brother did not have a Will or Trust and that he and his three siblings are the only siblings of the decedent.

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 four 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:

CARL KALANI WILSON – ONE-FOURTH (1/4)
LANCE MAIOLA LOGAN – ONE-FOURTH (1/4)
BYRON LOGAN – ONE-FOURTH (1/4)
LYON B. NAINOA LOGAN – ONE-FOURTH (1/4)

(K) RICHARD CHARLES LINDSEY JR.

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Janet Izumi, also known as Janet Lindsey. 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 their son is their only descendant.

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 **JANET N. LINDSEY.**

(L) REGINALD EARL LINDSEY

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Linda Margaret Nelson.

Your Master reviewed the Will of Reginald E. Lindsey, dated March 20, 2000, which has not been admitted to probate but directs the residue of the estate to be devised to Linda M. Lindsey. The Will is attached as Exhibit "C" to Petition #24.

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 **LINDA M. LINDSEY.**

(M) MARY PACHECO LINDSEY

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Allen

Hartwell Laea Lindsey, who died after the decedent. No Will or Trust has been submitted for either. Your Master received correspondence from the decedent's daughter, Allison Mayeda. She confirmed that her mother and father did not have a Will or Trust and that she and her three siblings are the only descendants of the decedent and her spouse.

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.

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:

ALLISON MAYEDA – ONE-FOURTH (1/4)
ALMARIE STOTHERS – ONE-FOURTH (1/4)
ALETHA LINDSEY-BARKLEY – ONE-FOURTH (1/4)
ALMYRA ASING – ONE-FOURTH (1/4)

(N) JAMSIE ABIGAIL KUIIPO LINDHOLM

Your Master reviewed the facts contained in Petition #24 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 received correspondence from Jack Lindholm II. He confirmed that his mother did not have a will or trust, and that he, Lynn, James, Mamo and Tiare are her only descendants.

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:

LYNN ADAMS – ONE-FIFTH (1/5)
JAMES ADAMS – ONE-FIFTH (1/5)
MAMO TRUEMAN – ONE-FIFTH (1/5)
JACK LINDHOLM – ONE-FIFTH (1/5)
TIARE LINDHOLM – ONE-FIFTH (1/5)

(O) MOSES KIM

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Beatrice K. O. Chun, also known as Beatrice Kam On Kim, who died after the decedent.

Your Master reviewed the Last Will and Testament of Moses Kim, dated June 5, 1995, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Moses Kim Revocable Living Trust, dated June 5, 1995.

The Trust indicates that Lenora Nani Kim Ishihara and Cynthia Mokihana Kim are the next-acting Co-Trustees. Copies of the Will and the Short Form Trust are attached as Exhibit "D" to Petition #24.

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 **LENORA NANI KIM ISHIHARA and CYNTHIA MOKIHANA KIM, Trustees of the Moses Kim Revocable Living Trust dated June 5, 1995**, to be distributed in accordance with the terms of the Trust.

(P) JEWELL CUIZON

Your Master reviewed the facts contained in Petition #24 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, Beaudrena Cabral. She confirmed that her mother did not have a Will or Trust and that she and her four 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:

JAMES CUIZON JR. – ONE-FIFTH (1/5)
BEAUDRENA CABRAL – ONE-FIFTH (1/5)
PEARL BERDON – ONE-FIFTH (1/5)
JAMIE CUIZON – ONE-FIFTH (1/5)
JOGENE CUIZON – ONE-FIFTH (1/5)

(Q) MYRTLE KINAU WILCOX SCHUMANN

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Beatrice Anderson. She confirmed that her mother was a widow and did not have a Will or Trust. She further confirmed that she and her seven siblings were the only descendants of the decedent. One of the siblings, Inga Kaneaiakala, predeceased the decedent so her descendants are entitled to take her share.

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:

BEATRICE ANDERSON – ONE-EIGHTH (1/8)
PHYLLIS MCCROREY – ONE-EIGHTH (1/8)
PHILLIP HATORI III – ONE-EIGHTH (1/8)
ISAAC HATORI – ONE-EIGHTH (1/8)
MANA HATORI – ONE-EIGHTH (1/8)
LURLINE HATORI – ONE-EIGHTH (1/8)
INEZ HATORI – ONE-EIGHTH (1/8)
BENJAMIN KAINOA KANEIAKALA III – ONE-TWENTYFOURTH (1/24)
RALPH LAANUI KANEIAKALA – ONE-TWENTYFOURTH(1/24)
ELIZABETH KEKAANIAUOKALANI LAANUI – ONE-TWENTYFOURTH (1/24)

(R) WALTER KIHOI

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Nolia Apa, also known as Nolia Elsie Kihoi, who died after the decedent.

Your Master reviewed the Last Will and Testament of Walter Kihoi, dated March 7, 1995, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Trust Agreement of Walter Kihoi, dated June 18, 1992.

However, the Will references a pour over into the decedent's "revocable trust" dated June 18, 1992. The Trust that was provided is actually entitled "Irrevocable Trust of Walter Kihoi" and is dated March 7, 1995. Thus it does not appear that the correct trust was provided. Your Master spoke to the decedent's daughter, Ann Kihoi, who said she would look for another Trust document.

The Irrevocable Trust indicates that Kevin Kihoi is the next-acting Trustee. Copies of the Will and the Irrevocable Trust are attached as Exhibit "E" to Petition #24. Based on the incomplete information, your Master believes that the laws of intestacy should apply here. 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:

NORMA L. ADAMS – ONE-FOURTH (1/4)
KEVIN K. KIHAI – ONE-FOURTH (1/4)
NORMAN KIHAI – ONE-FOURTH (1/4)
ANN KIHAI – ONE-FOURTH (1/4)

(S) THELMA LULU LINDSEY

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. No Will or Trust has been submitted. Your Master corresponded with the decedent's daughter, Daphne Lindsey. She confirmed that her mother was never married and did not have a Will or Trust. She is the only descendant 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 to **DAPHNE EKINI LINDSEY**.

(T) THOMAS LUPINI LOBO

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Trudy Palama, also known as Trudy Lobo.

Your Master reviewed the Last Will and Testament of Thomas Lupini Lobo, dated December 20, 2012, which has not been admitted to probate but directs the residue of the estate to be devised to Trudy Ann Lobo. The Will is attached as Exhibit "F" to Petition #24.

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 **TRUDY ANN LOBO.**

(U) **JULIA ANN KOHLTFARBER**

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Eugene Lewis Kohltfarber. There was no will or trust submitted. Your Master spoke to the decedent's son, Bobby Kohltfarber, who confirmed his mother did not have a Will or Trust and that his mother and his father are the parents of the three descendants.

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

EUGENE L. KOHLTFARBER.

(V) KAUIOHAMOHA EWALIKO LEW

Your Master reviewed the facts contained in Petition #24 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 grandson, Lauren Hunter who confirmed that his Grandmother did not have a Will or Trust and that Abel S. Lew, III and Mahealani Patricia Lew 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:

**MAHEALANI PATRICIA LEW – ONE-HALF (1/2)
ABEL S. LEW III – ONE-HALF (1/2)**

(W) MARION MAIE PUALANI MAKUAOLE

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to George Makuaole who died after the decedent. No Will or Trust has been submitted. Your Master was unable to make contact with a family member prior to filing this Report.

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.

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 **TIMOTHY MAKUAOLE**.

(X) **GEORGE MAKUAOLE**

Your Master reviewed the facts contained in Petition #24 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 make contact with a family member prior to filing this Report.

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 **TIMOTHY MAKUAOLE**.

(Y) STEPHEN MANGAUIL

Your Master reviewed the facts contained in Petition #24 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 make contact with a family member prior to filing this Report.

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:

TRINITY ANN NAPUOKALA MANGAUIL – ONE-FIFTH (1/5)
MAILE P. MANGAUIL – ONE-FIFTH (1/5)
STEPENIE MANGAUIL – ONE-FIFTH (1/5)
JOSHUA MANGAUIL – ONE-FIFTH (1/5)
ISAAC MANGAUIL – ONE-FIFTH (1/5)

(Z) EARL JOHN PATRICK KAAUMOANA VANDERFORD

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Carol

Mae Stibbard, also known as Carol Mae Vanderford, who died after the decedent. Because the surviving spouse died after the decedent, her estate controls.

Your Master reviewed the Last Will and Testament of Hanna Carol Mae Vanderford, dated May 23, 2019, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Carol Mae Vanderford Revocable Living Trust, dated May 23, 2019.

The Trust indicates that Harriett Vanelle M. Love is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit “G” to Petition #24.

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 **HARRIETT VANELLE M. LOVE, Trustee of the Carol Mae Vanderford Revocable Living Trust dated May 23, 2019**, to be distributed in accordance with the terms of the Trust.

(AA) JAMES W. KANOHO

Your Master reviewed the facts contained in Petition #24 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, Warren Kanoho, who confirmed that his father did not have a Will or Trust and that he and his four siblings are the only descendants of the decedent. One sibling predeceased their father and he left no descendants, so his share reverts to the surviving four siblings.

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:

LESLEY K. MORALES – ONE-FOURTH (1/4)
NORMAN K. KANOHO – ONE-FOURTH (1/4)
WARREN K. KANOHO – ONE-FOURTH (1/4)
JAMIE LYNN W. ROBINETT – ONE-FOURTH (1/4)

(BB) MARGARET TATSUE JIRICEK

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed.

Your Master reviewed the Last Will and Testament of Margaret Tatsue Jiricek, dated April 23, 1984, which has not been admitted to probate but directs the residue of the estate to be devised to spouse Joseph Jiricek. The Will is attached as Exhibit "H" to Petition #24. As Joseph Jiricek predeceased the decedent, his share would pass to his descendants.

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 **EVELYN KANEKOA.**

(CC) JEANETTE SUN MUI ANDERSON

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. 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:

JAMES R. ANDERSON – ONE-FIFTH (1/5)
SUSAN ELLEN ANDERSON – ONE-FIFTH (1/5)
SCOTT R. ANDERSON – ONE-FIFTH (1/5)
SARAH K.A. MAU – ONE-FIFTH (1/5)
JAMES HENDERSON ANDERSON – ONE-FIFTH (1/5)

(DD) ELIZABETH AGNES ARAGON

Your Master reviewed the facts contained in Petition #24 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Andrew K. Aragon. There was no will or trust submitted. Your Master spoke to the decedent's

daughter, Crystal-Carrie Leilani Aragon. She confirmed that her mother did not have a Will or Trust and that she and two siblings were the only descendants of the decedent and her 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

ANDREW K. ARAGON.

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 #24;
- B. That the Court grant the Petition for Instructions #24, filed October 1, 2025;
- 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 November 3, 2025.

/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, November 3, 2025.

/s/ Emily H. Kawashima
EMILY H. KAWASHIMA
Probate Special Master