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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 #25, FILED
DECEMBER 1, 2025; EXHIBITS
"1" – "2"; CERTIFICATE OF
SERVICE**

Hearing:

Date: February 6, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #25**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #25, filed December 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 February 6, 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 #25, filed December 1, 2025, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on December 17, 2025 and December 24, 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 #25 in the Honolulu Star-Advertiser on December 17, 2025 and December 24, 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) VERNIE GANEAU

Your Master reviewed the facts contained in Petition #25 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, Deborah

Dudoit. She confirmed that her mother did not have a Will or Trust and that she and her six siblings are the only descendants of the decedent. She also confirmed the below information.

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 seven children, three of whom are now deceased. Jerry Ganeau predeceased the decedent and was unmarried and had no descendants. His share will revert to the surviving heirs. Sheldon Ganeau died after the decedent and is survived by his spouse, Dora Ganeau, who is entitled to his share. Amelia Meheula died after the decedent and was survived by her spouse, Brian Meheula. Brian Meheula subsequently died, leaving four descendants who will take equal shares of Amelia's distribution. Amelia had a fifth descendant who is not the descendant of her spouse. Pursuant to HRS §560:2-102, since one or more of Amelia'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.

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:

FRANCINE P. GOHIER – ONE-SIXTH (1/6)
DEBORAH L. DUDOIT - ONE-SIXTH (1/6)
DORA GANEAU – ONE-SIXTH (1/6)
JAMIE SILVA – ONE-SIXTH (1/6)
DOREEN TEXEIRA - ONE-SIXTH (1/6)
FEATHER KALEIMAMAHU - ONE-TWENTYFOURTH (1/24)

ELDEN MEHEULA - ONE-TWENTYFOURTH (1/24)
DEAN MEHEULA - ONE-TWENTYFOURTH (1/24)
GIBRALTER MEHEULA - ONE-TWENTYFOURTH (1/24)

(B) **JOSEPH JASON KAWEHILANI KAMALAMALAMA**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Kathleen Reagan, also known as Kathleen Kamalamalama. There was no will or trust submitted. Your Master spoke to the decedent's spouse, Kathleen. She confirmed that her husband did not have a Will or Trust.

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, **KATHLEEN KAMALAMALAMA.**

(C) **SOLOMON A. KALEIOPU JR.**

Your Master reviewed the facts contained in Petition #25 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 confirmation from the decedent's

daughter Tiara Longakit that her father did not have a will or trust and confirmed the correct heirs below.

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 have five descendants, one of whom predeceased the decedent. Solomon Kaleiopu III, is survived by three descendants who shall take his distribution 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:

TIARA-MARIE P. LONGAKIT – ONE-FIFTH (1/5))
KIANNA AH LEE SAM – ONE-FIFTH (1/5)
MANUEL S. KALELOPU – ONE-FIFTH (1/5)
SEAN M. KALEIOPU – ONE-FIFTH (1/5)
SHAYSTESS KALEIOPU – ONE-FIFTEENTH (1/15)
SHINESTON KALEIOPU – ONE-FIFTEENTH (1/15)
S.R.L.K., A MINOR – ONE-FIFTEENTH (1/15)

(D) **JERRY CRIT KING KALEOHANO**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Patricia Kamanu, also known as Patricia Kaleohano. She died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's son, Perry Kaleohano. He confirmed that his father and did not have a Will or Trust and that he and his four siblings were the only descendants of the decedent. He also confirmed the heirs below.

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 were survived by five descendants. Terri Kaleohano died after the decedent and his spouse but was never married and had no children. 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. Therefore, Terri's share will revert to her siblings.

Sherri Laulusa died after the decedent but before the decedent's spouse. She was a widow and was survived by four descendants who would take her share equally. However, one of her descendants, Chasity Laulusa died after Sherri and was never married but was survived by two children. They will share Chasity's share of the distribution.

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:

KERRY J. KALEOHANO – ONE-FOURTH (1/4)
PERRY C. KALEOHANO – ONE-FOURTH (1/4)
JERRY C. KALEOHANO JR. – ONE-FOURTH (1/4)
CHAD LAULUSA – ONE-SIXTEENTH (1/16)
CHANTEL LAULUSA – ONE-SIXTEENTH (1/16)
CHAZETTE LAULUSA – ONE-SIXTEENTH (1/6)
ANUHEA K.P. YANDALL – ONE-THIRTYSECOND (1/32)
K.L.A.Y, A MINOR CHILD – ONE-THIRTYSECOND (1/32)

(E) **HOWARDYNE LORNA SPINNEY**

Your Master reviewed the facts contained in Petition #25 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, Lorna Spinney. She confirmed that her mother did not have a Will or Trust and that she and her eight 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.

The decedent had nine descendants, one of whom predeceased her and three of whom died after her. There are five surviving descendants. Elsie Takaki predeceased the decedent and is survived by two children who will take her share equally. Sandy Lippertz died after the decedent and is survived by spouse, William Lippertz, who will take her share. Lorraine N. Kamoku died after the decedent and is survived by spouse, Solomon Kamoku, Jr., who will take her share. Lastly, Thomas Spinney died after the decedent. Your Master reviewed the Closing Statement of Personal Representative, filed January 24, 2024 and Order Approving Closing Statement and Terminating Appointment, filed January 26, 2024. Exhibit "A" to Petition #25. Surviving spouse, Minnie Spinney, is the sole heir to Thomas Spinney's estate.

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:

HOWARD H. SPINNEY – ONE-NINTH (1/9)
ALFRED N. SPINNEY – ONE-NINTH (1/9)
LORNA P. SPINNEY – ONE-NINTH (1/9)
FAITH K. SPINNEY – ONE-NINTH (1/9)
DEMEATRICE K. SPINNEY – ONE-NINTH (1/9)
CHELSEY KELLY K. DESAQUIN – ONE-EIGHTEENTH (1/18)
MAPUANA ASHLEY BRITNEY HAALILIO – ONE-EIGHTEENTH (1/18)
WILLIAM GEORGE KUHIO LIPPERTZ – ONE-NINTH (1/9)
SOLOMON KAHELEMAUNA KAMOKU – ONE-NINTH (1/9)
MINNIE K. SPINNEY – ONE-NINTH (1/9)

(F) **ALEXANDER AWO JR.**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Divorced.

Your Master reviewed the handwritten Will of Alexander Awo, Jr. dated May 19, 1983, which has not been admitted to probate but directs specific devises to certain devisees. There is no provision for the residue of the estate. The Will is attached as Exhibit “B” to Petition #25. Your Master agrees that the settlement should be distributed pursuant to the laws of intestacy.

Pursuant to Section 2-103(1) of Act 200, the decedent’s descendants shall take in equal shares. However, Alvin W. K. Y. Awo died after the decedent and his spouse died after him, leaving two descendants. Alvin’s surviving spouse, Barbara Awo, left a Will. Your Master reviewed the Last Will and Testament of Barbara Lynn Awo, dated June 29, 2023, which was admitted to probate on April 11, 2025. The Will is a pour over will and directs the residuary estate to the Alvin K. and Barbara L. Awo Living Trust, dated October 12, 1999, as amended and restated.

The Trust indicates that Kelcie N. Raines is the next-acting Trustee. Copies of the Will and the Short Form Trust are attached as Exhibit “C” to Petition #25.

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:

CAROL P. BUNCH – ONE-HALF (1/2)
KELCIE N. RAINES, Trustee of the Alvin K. and Barbara L. Awo Living Trust dated October 12, 1999, as amended – ONE-HALF (1/2)

(G) **SARAH KAHIKINA TEIXEIRA**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Sally Ishikawa. She confirmed that her mother 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. The decedent was survived by four descendants. However, Adeline Brash and Mary Ng died after the decedent.

Your Master reviewed the Last Will and Testament of Adeline Theresa Brash, dated July 22 2007, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Adeline T. Brash Trust, dated July 22, 2007. The Trust indicates that Edward T. Teixeira is the next-acting Trustee. Copies of the Will and the Short Form Trust are attached as Exhibit "D" to Petition #25.

Your Master reviewed the Last Will and Testament of Mary T. Ng, dated February 11, 2020, which has been admitted to probate. The Will is a pour over will and directs the residuary estate to the Mary T. Ng 2018 Trust, dated September 18, 2018, as amended. The Trust indicates that Darryl F. Ng is the next-acting Trustee. Copies of the Will and the Short Form Trust are attached as Exhibit “E” to Petition #25.

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:

SALLY T. ISHIKAWA – ONE-FOURTH (1/4)
EDWARD T. TEIXEIRA – ONE-FOURTH (1/4)
EDWARD T. TEIXEIRA, Trustee of the Adeline T. Brash Trust dated July 22, 2007 – ONE-FOURTH (1/4)
DARRYL F. NG, Trustee of the Mary T. Ng 2018 Trust dated September 28, 2018, as amended – ONE-FOURTH (1/4)

(H) **LAUREEN GUM LAN TAVARES**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Jeffrey E. Tavares.

Your Master reviewed the Last Will and Testament of Laureen G. L. Tavares, dated May 13, 2019, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Jeffrey E. Tavares and Laureen G. L. Tavares Family Trust, dated May 13, 2019.

The Trust indicates that Jeffrey E. Tavares, is the next-acting Trustee. Copies of the Will and the Memorandum of Trust are attached as Exhibit “F” to Petition #25.

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 **JEFFREY E. TAVARES, Trustee of the Jeffrey E. Tavares and Lauren G.L. Tavares Family Trust dated May 13, 2019**, to be distributed in accordance with the terms of the Trust.

(I) **SHIRLEY K. DESOTO**

Your Master reviewed the facts contained in Petition #25 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 received confirmation from the decedent’s William Kekona, III, that his mother did not have a will or trust and that he is her 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 **WILLIAM K. KEKONA, III**.

(J) **KENNETH KALEI HOOPAI JR.**

Your Master reviewed the facts contained in Petition #25 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 spoke to the decedent's daughter, Krystal Cunningham who confirmed that her father did not have a Will or Trust and that 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 **KRYSTAL N. CUNNINGHAM**.

(K) **MARY PIMENTEL**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent was a Widow at her time of death. Your Master spoke to the decedent's daughter, Evalani Belknap, who confirmed the living heirs below.

Your Master reviewed the Last Will and Testament of Mary Ann Pimentel, dated February 10, 1999, which is in the process of the probate, but directs the residue of the estate to be devised to:

My children, Evalani Haumea Belknap, Louise Portlock, Clarita Haumea Warren, Florencia Kalilimoku, and Saturnino V. Pimentel, Jr., who survive me, *and to the surviving descendants of them who do not survive*, “per stirpes.”

The term “per stirpes” as used in this will means that the property is divided into as many equal shares as there are:

- (1) Surviving children of the designated ancestor; and
- (2) *Deceased children who left surviving descendants.*

Each surviving child, if any, is allocated one share. *The share of each deceased child with surviving descendants is divided in the same manner*, with subdivision repeating at each succeeding generation until the property is fully allocated among surviving descendants. (emphasis added)

The Will is attached as Exhibit “G” to Petition #25.

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 decedent intended that her deceased children’s descendants shall take their parent’s share. Louise Portlock, who died after the decedent, was survived by her spouse and her son. Based on the language in the Will, her son, Kamele Maxwell, shall take her share. Clarita Warren died without issue and therefore her share should lapse to the other siblings.

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:

EVALANI BELKNAP – ONE-FOURTH (1/4)
KAMELE MAXWELL– ONE-FOURTH (1/4)
FLORENCIA KALILIMOKU – ONE-FOURTH (1/4)
SATURNINO V. PIMENTAL JR. – ONE-FOURTH (1/4)

(L) **CAROLINE LEIMOMI SANCHEZ**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Anthony Sanchez. He died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Althea Erbe. She confirmed that her father did not have a Will or Trust and that she and her four 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. The decedent and her spouse had five children. Anthony Sanchez, Jr. predeceased both parents and left no descendants. Therefore, his share reverts to his 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:

JAMES SANCHEZ – ONE-FOURTH (1/4)
ALTHEA NAKILA – ONE-FOURTH (1/4)
ANN ERBE – ONE-FOURTH (1/4)
JANE ROBERTS – ONE-FOURTH (1/4)

(M) **HARRY K. YOUNG**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Eva Young, who died after the decedent.

Your Master reviewed the Last Will and Testament of Harry Kahale Young, dated December 20, 1991, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Harry Kahale Young Revocable Living Trust, dated December 20, 1991.

The Trust indicates that Russell K. K. K. Young is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "H" to Petition #25. Your Master spoke to the decedent's son, Darryl I. K. K. Young, who informed that Russell Young currently is unable to serve as Trustee due to lack of capacity. Darryl I. K. K. Young would then be the next acting Trustee.

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 **Darryl I. K. K. Young, as Trustee of the Harry Kahale Young Revocable Living Trust dated December 20, 1991**, to be distributed in accordance with the terms of the Trust.

(N) **MARYANN BOYD**

Your Master reviewed the facts contained in Petition #25 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.

The decedent had seven descendants, with only (1) Beverly Carvalho surviving. (2) Clyde Boyd predeceased the decedent and left one descendant, Skyra Boyd, who shall take his share. (3) William Boyd died after the decedent as a widower and left two descendants, Jory Boyd and Kevin Boyd, who shall take their father's share equally. (4) Valentine Boyd died after the decedent as a widow and left four descendants, Julie Boyd, Natasha Boyd, Annie Boyd and Leina Boyd, who shall take their mother's share equally. (5) Veronica U. Se'e died after the decedent and left surviving spouse, Judd Se'e, who shall take her share. (6) Alexander Boyd was survived by his descendant, Elizabeth Boyd, who died after her father. She was survived by her mother and sister, who both died after Elizabeth and there are no known descendants. His share therefore, will revert to his siblings and their heirs. (7) Frank Boyd died after the decedent and was divorced. He left two descendants. Rochelle Boyd is living but Frank E. K. Boyd died after his father. Frank E. K. Boyd left four 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:

BEVERLY M. CARVALHO – ONE-SIXTH (1/6)
SKYRA BOYD – ONE-SIXTH (1/6)

JORY KEALA BOYD – ONE-TWELFTH (1/12)
KEVIN BOYD – ONE-TWELFTH (1/12)

JULIE BOYD – ONE-TWENTYFOURTH (1/24)
NATASHA BOYD – ONE-TWENTYFOURTH (1/24)
ANNIE BOYD – ONE-TWENTYFOURTH (1/24)
LEINA BOYD – ONE-TWENTYFOURTH (1/24)

JUDD SE'E – ONE-SIXTH (1/6)

ROCHELLE MATAUINA BOYD – ONE-TWELFTH (1/12)

TEHANI LAPASTORA – ONE-FORTYFOURTH (1/44)

TIARE GUECO – ONE-FORTYFOURTH (1/44)

T.K.H.P.W.B.– ONE-FORTYFOURTH (1/44)

F.E.K.B. – ONE-FORTYFOURTH (1/44)

(O) **HERMAN NELSON KALANI KAUI**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Yone Domai, who died seven days after the decedent.

Your Master reviewed the Last Will and Testament of Herman Nelson Kalani Kauhi, dated April 30, 1984, and the Order of Formal Probate of Will, Determination of Testacy and Heirs, and Appointment of Personal Representative, Exhibit "I" to Petition #25. Under the Will, and based on the dates of death, the decedent's spouse is to be treated as if she predeceased the decedent.

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:

KEOUA KAUI – ONE-FIFTH (1/5)

CHRISTINE KAUI – ONE-FIFTH (1/5)

LAURA KAUI-LEFFINGWELL – ONE-FIFTH (1/5)

SOPHIA HACKETT – ONE-FIFTH (1/5)

SIMONE CLARK – ONE-FIFTH (1/5)

(P) **BENIGNO DANO**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to **PRIMATIVA FELICIDAD DANO**. She died after the decedent. Your Master spoke to decedent's daughter, Belinda Aiona, who informed that her brother Leslie Charles is now deceased. A copy of his Death Certificate is being filed concurrently under seal. His surviving spouse, Judy Charles, shall take his share. She verified all other heirs.

At the time of the decedent's death, the 1976 Hawaii Session Laws, Act 200, "Uniform Probate Code Article II, Intestate Succession and Wills" was controlling.

Under Act 200, Section 560:2-102, "The intestate share of the surviving spouse is...[i]f there is surviving issue or parent of the decedent ..., one-half of the intestate estate." There is no designated dollar amount that either should inherit before this provision applies. The surviving issue of the deceased child shall take by representation. Section 2-106. Your Master does not take any spousal or homestead elections into account due to the nature of the award and the date of death.

Since the surviving spouse died after the decedent, one half of the settlement shall go to her descendants and the other half shall go to the decedent's descendants. The surviving spouse had two descendants who were not the descendants of the decedent.

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:

GLENELL T. DANO – THREE-EIGHTHS (3/8)
BELINDA M. AIONA – THREE-EIGHTHS (3/8)
JUDY CHARLES – ONE-EIGHTH (1/8)
KEVIN TOLENTINO – ONE-FOURTIETH (1/40)
GRANNETTE PULLIAM – ONE-FOURTIETH (1/40)
GRANT TOLENTINO – ONE-FOURTIETH (1/40)
JASSEN TOLENTINO – ONE-FOURTIETH (1/40)
LESLEE LONO KAPU – ONE-FOURTIETH (1/40)

(Q) **BENJAMIN DANIEL NIHI**

Your Master reviewed the facts contained in Petition #25 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.

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 **ROBYN L. HEW.**

(R) **PETER MAIO**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Estella Whitford, also known as Estella Maio. She died after the decedent in December 1992.

At the time of the decedent's death as well as his surviving spouse's death, the 1976 Hawaii Session Laws, Act 200, "Uniform Probate Code Article II, Intestate Succession and Wills" was controlling.

Under Act 200, Section 560:2-102, "The intestate share of the surviving spouse is...[i]f there is surviving issue or parent of the decedent ..., one-half of the intestate estate." There is no designated dollar amount that either should inherit before this provision applies. The surviving issue of the deceased child shall take by representation. Section 2-106. Your Master does not take any spousal or homestead elections into account due to the nature of the award and the date of death. Since the descendants are all descendants of both the decedent and his surviving spouse, they will take equal shares.

Your Master spoke to Chadman Maio, the grandson of the decedent. He confirmed the following:

The decedent and his surviving spouse had 10 children but only two are now surviving. (1) Earl Maio, Sr. and (2) Conrad Maio, who are the two surviving descendants, shall each take 1/6. A number of the descendants died as infants. (3) Ralph Lale Maio, (4) Randolph Maio, (5) Cynthia Hinano Maio and (6) Dagma Kahuakai Maio all predeceased the decedent and spouse and they had no spouses or descendants.

(7) April Lynette Kuulei Maio predeceased the decedent and his spouse but is survived by descendants Prelldeen Hicks and Chadman Kalani Maio, who will each take 1/12. Their siblings Zenia Maio and Kassalee Kuulei Maio died after the decedent but did not leave any spouse or descendants. Sibling Kelsey Kamealoha Maio predeceased the decedent and left no spouse or descendants. Chadman confirmed that their father, Henry C. Kassebeer, is deceased.

(8) Yvonne Viernes died after the decedent and was survived by her spouse Bonifacio Viernes Sr. However, Chadman Maio confirmed that Bonifacio is now deceased and will try to

provide a death certificate. Yvonne had three descendants, one of whom predeceased her and left one descendant, leaving three who shall take her share.

(9) Sandra Acedillo died after the decedent and is survived by three descendants who shall take her share.

(10) Greer Turner died after the decedent and is survived by three descendants who shall take her share.

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:

EARL RUDOLPH KALANI MAIO SR. – ONE-SIXTH (1/6)
CONRAD KAMEALOHA MAIO – ONE-SIXTH (1/6)

PRELLDEEN HICKS – ONE-TWELFTH (1/12)
CHADMAN KALANI MAIO – ONE-TWELFTH (1/12)

BLAISE K. VIERNES – ONE-EIGHTEENTH (1/18)
GALDEEN L. VIERNES – ONE-EIGHTEENTH (1/18)
BERMAN K. VIERNES – ONE-EIGHTEENTH (1/18)

JAMES K. MAIO – ONE-EIGHTEENTH (1/18)
QUONELLE A. OPUNUI – ONE-EIGHTEENTH (1/18)
HARRY ACEDILLO JR. – ONE-EIGHTEENTH (1/18)

GRANT K. TURNER – ONE-EIGHTEENTH (1/18)
MARLENE E. TURNER – ONE-EIGHTEENTH (1/18)
PETER K. RANDOLPH – ONE-EIGHTEENTH (1/18)

(S) **ESTELLA MAIO**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widow.

At the time of the decedent's death, the 1976 Hawaii Session Laws, Act 200, "Uniform Probate Code Article II, Intestate Succession and Wills" was controlling.

Under Act 200, Section 560:2-103, "The part of the intestate share not passing to the surviving spouse under section 2-102, or the entire intestate estate if there is no surviving spouse, passes ... to the issue of the decedent; if they are all of the same degree of kinship to the decedent they take equally, but if of unequal degree, the those of more remote degree take by representation."

Your Master spoke to Chadman Maio, the grandson of the decedent. He confirmed the following:

The decedent had 10 children but only two are now surviving. (1) Earl Maio, Sr. and (2) Conrad Maio, who are the two surviving descendants, shall each take 1/6. A number of the descendants died as infants. (3) Ralph Lale Maio, (4) Randolph Maio, (5) Cynthia Hinano Maio and (6) Dagma Kahuakai Maio all predeceased the decedent and had no spouses or descendants.

(7) April Lynette Kuulei Maio predeceased the decedent but is survived by descendants Prelldeen Hicks and Chadman Kalani Maio, who will each take 1/12. Their siblings Zenia Maio and Kassalee Kuulei Maio died after the decedent but did not leave any spouse or descendants. Sibling Kelsey Kamealoha Maio predeceased the decedent and left no spouse or descendants. Chadman confirmed that their father, Henry C. Kassebeer, is now deceased.

(8) Yvonne Viernes died after the decedent and was survived by her spouse Bonifacio Viernes Sr. However, Chadman Maio confirmed that Bonifacio is now deceased and will provide a death certificate. Yvonne had three descendants, one of whom predeceased her and left one descendant, leaving three who shall take her share.

(9) Sandra Acedillo died after the decedent and is survived by three descendants who shall take her share.

(10) Greer Turner died after the decedent and is survived by three descendants who shall take her share.

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:

EARL RUDOLPH KALANI MAIO SR. – ONE-SIXTH (1/6)
CONRAD KAMEALOHA MAIO – ONE-SIXTH (1/6)

PRELLDEEN HICKS – ONE-TWELFTH (1/12)
CHADMAN KALANI MAIO – ONE-TWELFTH (1/12)

BLAISE K. VIERNES – ONE-EIGHTEENTH (1/18)
GALDEEN L. VIERNES – ONE-EIGHTEENTH (1/18)
BERMAN K. VIERNES – ONE-EIGHTEENTH (1/18)

JAMES K. MAIO – ONE-EIGHTEENTH (1/18)
QUONELLE A. OPUNUI – ONE-EIGHTEENTH (1/18)
HARRY ACEDILLO JR. – ONE-EIGHTEENTH (1/18)

GRANT K. TURNER – ONE-EIGHTEENTH (1/18)
MARLENE E. TURNER – ONE-EIGHTEENTH (1/18)
PETER K. RANDOLPH – ONE-EIGHTEENTH (1/18)

(T) **ALAN CURTIS IRVINE**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Jean Reid Irvine. There was no will or trust submitted.

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, **JEAN REID IRVINE.**

(U) **ANNIE INOVEJAS**

Your Master reviewed the facts contained in Petition #25 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 spoke to the decedent's son, Fred Inovejas, Jr. He confirmed that his mother did not have a Will or Trust and that he and his four siblings are the only descendants of the decedent. One descendant, Ward Inovejas, died before the decedent and did not have a spouse or 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:

CHAD INOVEJAS – ONE-THIRD (1/3)
FRED R. INOVEJAS JR. – ONE-THIRD (1/3)
BRAD K. INOVEJAS – ONE-THIRD (1/3)

(V) **CHARLES KEALO HAINA**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Debra Ann Coe. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Desiree Haina. She confirmed that her father did not have a Will or Trust and that she and her two 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. However, surviving spouse Debra Ann Haina submitted a "Letter of Assignment," transferring her settlement proceeds to her daughter Desiree U. Haina.

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, **DESIREE U. HAINA.**

(W) **JAMES ROLAND HALI'I HAIA**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's obituary does not mention a surviving spouse. 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.

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 HAIA JR. – ONE-HALF (1/2)
SARA M. HAIA – ONE-HALF (1/2)

(X) **JOAN KAPAHU HAGMOC**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Maximo Dacong Hagmoc, Jr. No Will or Trust has been 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.

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:

KEVIN HAGMOC – ONE-THIRD (1/3)
KIMBERLEE MONIS – ONE-THIRD (1/3)
KERIANNE HAGMOC VIERNES – ONE-THIRD (1/3)

(Y) **GEORGE KEOKI MOKUNUI**

Your Master reviewed the facts contained in Petition #25 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.

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:

MEW-LANG MCCRORY – ONE-HALF (1/2)
SAI LANG TELONA – ONE-HALF (1/2)

(Z) **BEATRICE ROSE KUNI**

Your Master reviewed the facts contained in Petition #25 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, Jeffery Kuni. He confirmed that his mother did not have a Will or Trust and that he and his four siblings are the only descendants of the decedent.

Two descendants died after the decedent. Keliikamueau Kuni died without a spouse or descendants. Deborah Kelsey died with surviving spouse, Christopher Kelsey, who shall 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:

JEFFERY KUNI – ONE-FOURTH (1/4)
RUTH KUNI-MEDEIROS – ONE-FOURTH (1/4)
MICHELE KUNI – ONE-FOURTH (1/4)
CHRISTOPHER ROBERT KELSEY – ONE-FOURTH (1/4)

(AA) **JOYCE LOUISE PUANANI MEAFOU**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Iefata Meafou. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Crystal Makaena. She confirmed that her mother did not have a Will or Trust and that she and her siblings are the descendants of the decedent but not of the surviving spouse.

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.

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, **IEFATA K. MEAFOU.**

(BB) **JOSEPH KEPA WAH FUN MAKANUI**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Wareen Tomie Tomita, also known as Wareen Tomie Makanui, who died after the decedent. No Will or Trust has been submitted.

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.

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:

SHELDON MAKANUI - ONE-FIFTH (1/5)
KYLE MAKANUI - ONE-FIFTH (1/5)
PERRY MAKANUI - ONE-FIFTH (1/5)
SANDY SALAVEA - ONE-FIFTH (1/5)
KALEA MAKANUI - ONE-FIFTH (1/5)

(CC) **TIMOTHY LEE TERLEP**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Ruth Naomi Cornwell. There was no will or trust submitted.

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, **RUTH TERLEP.**

(DD) **EARL COCKRITT WEDEMEYER**

Your Master reviewed the facts contained in Petition #25 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Barbara Jean Kahoiwai, also known as Barbara Wedemeyer, who died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Noelle

KanoHo. She confirmed that her father and mother did not have a Will or Trust. She also informed your Master that she and her two siblings are the only descendants of the decedent.

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.

Noelle informed that her brother Vance Wedemeyer died recently, leaving issue who will take his share. Your Master is awaiting additional information regarding his descendants from Noelle and will supplement the 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:

DANA E. WEDEMEYER-STEELE – ONE-THIRD (1/3)
NOELLE KANOHO – ONE-THIRD (1/3)
DESCENDANTS OF VANCE WEDEMEYER – ONE-THIRD (1/3)

(EE) **MARY JANE PILANI KAHEAKU**

Your Master reviewed the facts contained in Petition #25 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 Mary Jane Kaheaku, dated January 27, 2004, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Mary Jane Kaheaku Living Trust, dated January 27, 2004.

The Trust indicates that LOVEY U. ORTEGA-SANCHEZ is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "1" to this Master's Report re Petition

#25. The decedent apparently revoked a prior power of attorney in favor of Lovey Ortega-Sanchez. See Exhibit “2.” This does not appear to revoke or alter the Trusteeship, however.

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 **LOVEY U.**

ORTEGA-SANCHEZ, Trustee of the Mary Jane Kaheaku Living Trust dated January 27, 2004, to be distributed in accordance with the terms of the Trust.

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 #25;
- B. That the Court grant the Petition for Instructions #25, filed December 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 January 16, 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.

FRANCINE P. GOHIER
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Wahiawa, Hawaii 96786

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SHOAL G.K. GANEAU
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FEATHER KALEIMAMAHU
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