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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 #28, FILED  
MARCH 16, 2026; CERTIFICATE  
OF SERVICE**

Hearing:

Date: July 17, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S  
REPORT RE: PETITION FOR INSTRUCTIONS #28**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #28, filed March 16, 2026 (the "Petition"), and respectfully submits this Report.

**I. INTRODUCTION**

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

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

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

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

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

Those who have an interest in these proceedings are invited to attend the hearing on July 17, 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 #28, filed March 16, 2026, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on April 13, 2026 and April 20, 2026;

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

**A. Interviews**

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

**B. Efforts to Locate Wills**

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

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

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

### **III. BACKGROUND**

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

Probate Special Counsel published Notice of the hearing on this Petition #28 in the Honolulu Star-Advertiser on April 13, 2026 and April 20, 2026. Your Master is satisfied that all interested parties were provided adequate notice of this hearing, and that jurisdiction and venue are proper pursuant to HRS §554D-201-203.

#### **(A) CURTISS WEHILANI KIHOI**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Peggy Aileen Brown, also known as Peggy Aileen Kihoi, who died within 120 days of the decedent.

Therefore, under HRS 560:2-104, she is treated as predeceased. No Will or Trust has been submitted.

Your Master spoke to the decedent's sister, Sarah Kihoi. She confirmed that her brother did not have a Will or Trust and that he had a biological child who is not the child of Peggy Kihoi. She was familiar with the child and confirmed that the decedent was the father. Your Master also reviewed an email from the decedent's half-sister, Benjamine England, who stated that the decedent is not listed on the birth certificate of Curtiss Wehilani Kahikina Kihoi.

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:

**CURTISS WEHILANI KAHIKINA KIHROI – 100%**  
**P.O. Box 6372**  
**Hilo, Hawaii 96720**

**(B) FRANCES PUALANI SILVA UA**

Your Master reviewed the facts contained in Petition #28 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, Lanny Ua, Jr. He shared that his sister Phyllis Santiago recently died and is survived by two daughters. Your Master also sent an email to sibling Maydeen Magdato requesting a death certificate.

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 five descendants, one of whom died after the decedent. Dwayne Ua did not leave a spouse or descendants so his share lapses to his 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:

**MARIAN MAGDATO – ONE-FOURTH (1/4)**  
**MAYDEEN MAGDATO – ONE-FOURTH (1/4)**  
**LANNY JR. – ONE-FOURTH (1/4)**  
**HAUNANI AMINA – ONE-EIGHTH (1/8)**  
**P.O. Box 494**  
**Kamuela, Hawaii 96743**  
**JAMIE SANTIAGO – ONE-EIGHTH (1/8)**  
**16-2039 King Kamehameha Boulevard**  
**Pahoa, Hawaii 96778**

**(C) BEATRICE LEINAALA WONG**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Randall J. C. Wong, who died after the decedent.

Your Master reviewed the Last Will and Testament of Beatrice Leinaala Wong, dated February 13, 2018, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Beatrice Leinaala Wong Revocable Trust, dated August 14, 2003, as restated.

The Trust indicates that Lovey Ann Awaya is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit “A” to Petition #28.

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 ANN AWAYA, Trustee of the Beatrice Leinaala Wong Revocable Living Trust dated August 14, 2003, as restated**, to be distributed in accordance with the terms of the Trust.

**(D) JOHN WILLIAM KAMAKEA KEOHULOLOA SR.**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Moana Naki, also known as Moana K. Keohulooa. 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 her three sons are the only descendants of the decedent.

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

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

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

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

**(E) KUUALOHA L.M. CHING**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death record does not identify a surviving spouse. Your Master spoke to the decedent’s son, Abraham Sakamoto. He confirmed that his mother did not have a Will or Trust and that his only sibling, Stephanie Miura, died after the decedent and left surviving spouse Gary Miura.

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 two descendants, one of whom died after the decedent. Stephanie U. Miura died and left a Last Will and Testament of Stephanie U. Miura, dated February 15, 2017, which has not been admitted to probate but directs the residue of the estate to be devised to her surviving spouse, Gary K. Miura. The Will is attached as Exhibit “B” to Petition #28.

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:

**ABRAHAM SAKAMOTO – ONE-HALF (1/2)**  
**GARY MIURA – ONE-HALF (1/2)**

**(F) LILLIAN MAUNALOA ONAAHIENAENA AGABIN**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Ralph B. Agabin, Sr. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Shannell Agabin. She confirmed that her mother did not have a Will or Trust and that all descendants share the same parents.

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,  
**RALPH B. AGABIN SR.**

**(G) NANCY KAMAKAONAONA NAEOLE**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Joseph K. Naeole, Sr. who died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Joelle Naeole. She confirmed that her mother and father did

not have a Will or Trust and that she and her two siblings are the only living 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 four descendants, one of whom predeceased both parents. Joseph Kahakai Naeole, Jr., was not survived by descendants therefore his share lapses to his 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:

**ERIC KALANI KAWAINUI – ONE-THIRD (1/3)**  
**JOELLE K. NAEOLE – ONE-THIRD (1/3)**  
**KAINOA K. NAEOLE – ONE-THIRD (1/3)**

**(H) NORMAN MOLOKINI LINDSEY**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. Your Master also reviewed the Renewed Letters of Administration, filed on October 11, 2024, in P. No. 3L011000062, in the Third Circuit, State of Hawai'i. Exhibit "C" of Petition #28.

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

On the basis of the foregoing, your Master finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be distributed to **KEITH-NORMAN K. LINDSEY, Personal Representative of the Estate of Norman Molokini Lindsey, also known as Norman M. Lindsey**, to be distributed in accordance with the laws of intestacy.

**(I) CECELIA MALIA MARASCO**

Your Master reviewed the facts contained in Petition #28 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 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:

**JOSEPH MARASCO – ONE-HALF (1/2)  
NICHOLAS MARASCO – ONE-HALF (1/2)**

**(J) ANTHONY KELIUHAUOLA NALIELUA**

Your Master learned from the Claims Administrator that this individual did not have a valid claim. Therefore, your Master finds and recommends that the Court take no further action.

**(K) JAMES WARREN APOLO**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Maria

Lee, also known as Maria Apolo. There was no will or trust submitted. Your Master spoke to surviving spouse Maria Apolo who confirmed that her husband did not have a will or trust. She also confirmed that the decedent's five descendants are not her 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."

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

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

**(L) GLADYS K. NELSON**

Your Master reviewed the facts contained in Petition #28 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 Gladys Kanewa Nelson, dated August 28, 1986, which has not been admitted to probate. The Will is not a pour over will and directs the residuary estate to her spouse, who predeceased her, then to her son, Corey Nelson. Exhibit "D" to the Petition.

Your Master also reviewed the Gladys K. Nelson Revocable Living Trust Agreement, dated December 20, 2004 as well as the First Amendment dated May 6, 2015. Exhibit "E" to the

Petition. The Trust indicates that Dustie Lee Nelson is the next-acting Trustee. As Petitioner noted, there is no accompanying pour over Will. However, it does appear to be more equitable for the Trust to receive the settlement funds despite the absence of a pour over Will.

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 **DUSTIE L. NELSON, Trustee of the Gladys K. Nelson Revocable Living Trust Agreement dated December 20, 2004, as amended**, to be distributed in accordance with the terms of the Trust.

**(M) CORRIE H. GALDEIRA-NIHOA**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's obituary notes that she was survived by her husband, Shiloh Galdeira. Your Master spoke to the decedent's son, Kekoa Galdeira. He confirmed that his mother did not have a Will or Trust and that the four descendants are from the same parents.

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, **SHILOH GALDEIRA.**

(N) **NORMAN KALEIMAMO MAUNAKEA**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Ruby Kalei Kahauolopua. There was no will or trust submitted. Your Master received an email from the decedent’s daughter, Sandy Rosa. She confirmed that her father did not have a Will or Trust and that she and her four siblings are all the descendants of the decedent and his 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, **RUBY KALEI KAHAUOLOPUA.**

**(O) HENRY PUULEI**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to RoseAnn Kuuipo White, also known as RoseAnn K. Puulei, who died after the decedent

Your Master reviewed the Last Will and Testament of Henry Puulei dated, November 9, 2022, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Henry Puulei Living Trust, dated November 9, 2022.

The Trust indicates that Dahlia Asuega and Charlene L. McKee are the next-acting Co-Trustees. Copies of the Will and the Trust are attached as Exhibit "F" to Petition #28.

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 **DAHLIA LEE ASUEGA and CHARLENE L. MCKEE, Trustees of the Henry Puulei Living Trust dated November 9, 2022**, to be distributed in accordance with the terms of the Trust.

**(P) GLORIA WINONA HIPOLITO**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master was unable to contact a family member.

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

**BRIAN HIPOLITO SR. – ONE-FOURTH (1/4)**  
**MELVIN E. HIPOLITO – ONE-FOURTH (1/4)**  
**MERVIN HIPOLITO – ONE-FOURTH (1/4)**  
**KEVIN HIPOLITO – ONE-FOURTH (1/4)**

**(Q) WILLIAM VIERNES**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to April Haunani Lui, also known as, April H. Phua-Viernes.

Your Master reviewed the Hawaii Last Will and Testament of William Viernes, dated September 18, 2023. Exhibit “G.” It appears to be a form and Petitioner has noted irregularities in the document. The devises include specific gifts as well as a general devise to his surviving spouse. It appears that the decedent’s intent was for his surviving spouse to receive his estate and the result is consistent with the laws of intestacy.

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, **APRIL H. PHUA-VIERNES.**

**(R) CALVIN KALEIALOHA LUM WON SR.**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Janet Colquitt, also known as Janet Lum Won, who died after the decedent. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Because the surviving spouse died after the decedent, 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:

**BRANDON LUM WON – ONE-HALF (1/2)  
COREY LUM WON – ONE-HALF (1/2)**

**(S) LEROY HOOKANO KUAHULU**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Helen

Kalaauailialahi Calles, also known as Helen K. C. Kuahulu, who died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Pialihoa Kuahulu. She confirmed that her father and mother did not have a Will or Trust and that she and her three siblings are the only living 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. The decedent and his spouse had six descendants. Two died after the decedent and his spouse and they were not survived by a spouse or descendants. Their shares will lapse to the surviving 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:

**PILIALOHA KUAHULU – ONE-FOURTH (1/4)**  
**VICTOR KUAHULU – ONE-FOURTH (1/4)**  
**LILY SASAKI – ONE-FOURTH (1/4)**  
**JAN LE RAE CHACO – ONE-FOURTH (1/4)**

(T) **THEODORE IAKOBO NUUANU**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate does not list marital status. 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:

**THEODORE I. NUUANU JR. – ONE-FOURTH (1/4)**  
**DWAYNE K. NUUANU – ONE-FOURTH (1/4)**  
**EDWARD P. NUUANU – ONE-FOURTH (1/4)**  
**SHEENA K. NUUANU – ONE-FOURTH (1/4)**

(U) **HENRY HOPFE JR.**

Your Master reviewed the facts contained in Petition #28 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 an email from the decedent's daughter, Anna Rowland who confirmed that her father did not have a Will or Trust and that she is his 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. The decedent had two children. One predeceased the decedent and was not survived by any descendants. That share shall lapse to the surviving descendant.

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:

**ANNA K. ROWLAND – 100%**

**(V) EDITH K. KONG**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Kenneth Kong, who died after the decedent.

Your Master reviewed the Last Will and Testament of Edith K. Kong, dated December 26, 1990, which has not been admitted to probate and is not a pour over Will. The Will names the decedent's surviving spouse as the sole devisee. The Will is attached as Exhibit "H" to Petition #28. Also included is the Edith K. Kong Revocable Living Trust Agreement, dated December 26, 1990.

Because the surviving spouse died after the decedent, his estate controls. Your Master reviewed the Last Will and Testament of Kenneth Y. S. Kong, dated December 26, 1990, which has not been admitted to probate and is not a pour over Will and First Codicil dated February 13, 2020. The Will names the decedent's surviving spouse as the sole devisee. The Will and First Codicil are attached as Exhibit "I" to Petition #28. The Will leaves his estate to his issue.

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:

**KENNAN J. KONG – ONE-THIRD (1/3)**  
**KAREN K. MARTIN – ONE-THIRD (1/3)**  
**SANDRA K. BOYER – ONE-THIRD (1/3)**

**(W) CLEGHORN P. MCKEE**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Angela V. Sylvester, also known as Angela Sylvester McKee.

Your Master reviewed the Last Will and Testament of Cleghorn Puaakuni McKee, dated June 30, 1986, which has not been admitted to probate but directs the residue of the estate to be devised to Angela Sylvester McKee. The Will is attached as Exhibit “J” to Petition #28.

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 **ANGELA V. MCKEE** (also known as **ANGELA SYLVESTER MCKEE**).

**(X) SHERMAN TIM KONG**

Your Master reviewed the facts contained in Petition #28 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:

**JOSHUA KONG – 100%**

**(Y) JOHN PHILIP KAILI**

Your Master reviewed the facts contained in Petition #28 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 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:

**JESSICA K. KAILI-NIHOA – ONE-THIRD (1/3)**  
**JOHNATHAN K. KAILI-NIHOA – ONE-THIRD (1/3)**  
**JASMINE K. KAILI-NIHOA – ONE-THIRD (1/3)**

(Z) **HERBERT HAPAKI MAJAMAY**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's obituary notes that his spouse predeceased him. No Will or Trust has been submitted. Your Master spoke to the decedent's son, Matthew Majamay. He confirmed that his father did not have a Will or Trust and that there were 12 descendants of the decedent at his time of death.

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 12 descendants. One died after the decedent and was survived by his spouse, Stephanie Majamay, who shall take his 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 as follows:

**STEPHANIE MAJAMAY – ONE-TWELFTH (1/12)**  
**ROSE L. MAJAMAY – ONE-TWELFTH (1/12)**  
**MATTHEW M. MAJAMAY – ONE-TWELFTH (1/12)**  
**MYRA K. DOMINGO – ONE-TWELFTH (1/12)**  
**MARYANN RAMOS – ONE-TWELFTH (1/12)**  
**HAROLD MAJAMAY – ONE-TWELFTH (1/12)**  
**RONALD MAJAMAY – ONE-TWELFTH (1/12)**  
**BERNADETTE DELOS-SANTOS – ONE-TWELFTH (1/12)**  
**HERBERT MAJAMAY JR. – ONE-TWELFTH (1/12)**  
**JOSEPH MAJAMAY SR. – ONE-TWELFTH (1/12)**  
**LINDA BENANUA – ONE-TWELFTH (1/12)**  
**SERAPIN MAJAMAY – ONE-TWELFTH (1/12)**

**(AA) MILDRED K. KAIMIKAUA**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Carl Gustave Kimoona Kaimikaua. There was no will or trust submitted. It appears that one or more of the decedent's surviving descendants are not descendants of the surviving spouse.

Pursuant to HRS §560:2-102(4), 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,  
**CARL GUSTAVE KIMOONA KAIMIKAUA.**

**(BB) JOHN IOANE KEANAAINA SR.**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Emily Nani Cornelio, also known as Emily Nani Keanaaina and Nani Emily Keanaaina.

Your Master reviewed the Last Will and Testament of John Ioane Keanaaina, Sr., dated July 13, 1992, which has not been admitted to probate but directs the residue of the estate to be devised to his surviving spouse. The Will is attached as Exhibit "L" to Petition #28.

Because the surviving spouse died after the decedent, her estate controls. Your Master reviewed the Last Will and Testament of Nani Emily Keanaaina, dated July 13, 1992, which has not been admitted to probate but directs the residue of the estate to be devised to her descendants who survive her in equal shares. In her Will, the decedent's spouse names three additional persons to be treated as her natural-born children. The Will is attached as Exhibit "L" to Petition #28.

Descendant Patrick Michael Napua Keanaaina died after both parents and was survived by his spouse, Karyl Keanaaina, who shall take his share. Hanai child and devisee Duane Versary Niumalu Keanaaina died after the decedent and his spouse. He is survived by spouse Gail D. Keanaaina, who shall take his 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 as follows:

**JOHN IOANE KEANAAINA, JR. – ONE-EIGHTH (1/8)**  
**VORNELL KALEIMOMI KEANAAINA – ONE-EIGHTH (1/8)**  
**JACOB PUANE KEANAAINA – ONE-EIGHTH (1/8)**  
**RACHEL LEINANI KEANAAINA – ONE-EIGHTH (1/8)**  
**KARYL KEANAAINA – ONE-EIGHTH (1/8)**  
**OBED KAPANA KEANAAINA – ONE-EIGHTH (1/8)**  
**GAIL D. KEANAAINA – ONE-EIGHTH (1/8)**  
**WILSAM JOHN KEANAAINA – ONE-EIGHTH (1/8)**

**(CC) ALETT KEAHI**

Your Master reviewed the facts contained in Petition #28 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:

**SHAYE KEAHI REGO – ONE-HALF (1/2)  
BLAINE K. KEAHI – ONE-HALF (1/2)**

**(DD) KAREN KANSANA**

Your Master reviewed the facts contained in Petition #28 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Randall Neizman. There was no will or trust submitted. Your Master was unable to contact a family member.

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

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

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

**(EE) HARRIET LEIONAONA KAWAAKOA**

Your Master reviewed the facts contained in Petition #28 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, Kaiser Piilani. He confirmed that his mother and father did not have a Will or Trust and that originally the decedent had 12 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.

The decedent originally had 12 decedents. Daughter Ashlyn Walker predeceased the decedent and is survived by six descendants.

Son Henry Kawaakoa, Jr. died after the decedent and was survived by spouse Carolene Kawaakoa who died after her husband, thus her estate controls. Carolene had two descendants, one of whom predeceased her and is survived by a minor child. Kaiser Piilani informed that the minor may have reached the age of majority but could not confirm that.

Daughter Shannon Kawaakoa predeceased the decedent and left no descendants. Her share shall lapse to her siblings, creating 11 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:

**BOBBIN PUALEIHUA POAHA – ONE-ELEVENTH (1/11)**  
**ROXANE K. SPATZ – ONE-ELEVENTH (1/11)**  
**MICHAEL K. GOOMAN – ONE-ELEVENTH (1/11)**  
**PETER G. PIILANI – ONE-ELEVENTH (1/11)**  
**KAISER H. PIILANI – ONE-ELEVENTH (1/11)**  
**SONJA F. MIRANDA-RIVAS – ONE-ELEVENTH (1/11)**  
**REUBEN L. PIILANI – ONE-ELEVENTH (1/11)**  
**EMERALD MAKI – ONE-ELEVENTH (1/11)**  
**HATTIE SEALS – ONE-ELEVENTH (1/11)**  
**WILLIAM JOHNSON – ONE-SIXTYSIXTH (1/66)**  
**SHUNBRIKA JOHNSON – ONE-SIXTYSIXTH (1/66)**  
**NICOLE AZIZI LEILANI RUSSELL – ONE-SIXTYSIXTH (1/66)**  
**ANNA A. SMITH – ONE-SIXTYSIXTH (1/66)**  
**LESTER HANALEI WALKER – ONE-SIXTYSIXTH (1/66)**  
**JULIA MARIE LEINAALA VALDEZ – ONE-SIXTYSIXTH (1/66)**  
**JAYLENE KAWAAKOA – ONE-TWENTYSECOND (1/22)**  
**A.K.K., A MINOR – ONE-TWENTYSECOND (1/22)**

#### **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 #28;
- B. That the Court grant the Petition for Instructions #28, filed March 16, 2026;
- C. That the Court find that jurisdictional requirements have been met and the venue is proper;

D. That the Court finds that, as far as known, all persons necessary to an adjudication of this matter are parties hereto and shall be bound by all orders arising from this Petition, and the Court finds that there is no need to appoint a guardian ad litem to represent the interests of unknown or unascertained contingent remainder beneficiaries;

E. That the Court authorize and Order the Claims Administrator to follow the distributions as outlined in this Report;

F. That the Court award the Petitioner's reasonable attorneys' fees and costs to be paid by the Trust and deducted from the above beneficiaries' distributions on a pro-rata basis, subject to the filing of an affidavit or declaration;

G. That the Court grant reasonable Master's fees and costs, to be paid by the Trust and deducted from the above beneficiaries' distributions on a pro-rata basis, subject to the filing of an affidavit or declaration;

H. That the Court enter judgment as to this Petition pursuant to Hawai'i Probate Rule 34(a) accordingly; and

I. That the Court grant such other and further relief as this Court may deem just and equitable.

DATED: Honolulu, Hawai'i, on June 22, 2026.

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

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER

OF

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

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

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

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

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DATED: Honolulu, Hawaii, June 22, 2026.

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