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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)

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR
INSTRUCTIONS #30, FILED
JULY 17, 2026; EXHIBITS "1" – "2";
CERTIFICATE OF SERVICE**

Hearing:

Date: October 16, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #30**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #30, filed July 17, 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 October 16, 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 #30, filed July 17, 2026, with Exhibits;
- Publication of the Notice of Hearing in the Star-Advertiser dates to be supplemented;

- 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's publication of the Notice of the hearing on this Petition #30 in the Honolulu Star-Advertiser dates are to be supplemented. 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) ELLA NANI LEONG

Your Master reviewed the facts contained in Petition #30 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 Letters of Administration, filed on April 29, 1996, and Order of

Intestacy, Determination of Heirs and Appointment of Personal Representative, in P. No. 96-0120, in the First Circuit, State of Hawai'i. Exhibit "A" of Petition #30.

Your Master agrees that it would be equitable to distribute the proceeds to the heirs by intestacy. Act 200, Sec. 2-103, provides that the surviving issue shall take equally if they are of the same degree of kinship. There were five surviving issues, but two have since died. One died without issue and his share lapses to his siblings. One died with two descendants who shall share their father's distribution equally.

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:

ELLA NANI LEONG aka E. NANI JONES – ONE-FOURTH (1/4)
SANDRA H. LEONG – ONE-FOURTH (1/4)
MYRON LEONG – ONE-FOURTH (1/4)
STEPHEN D.K. LEONG – ONE-EIGHTH (1/8)
LEAH L. FARRIS – ONE-EIGHTH (1/8)

(B) MARY JANE K. ADOLPHO

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Never Married. No Will or Trust has been submitted. Your Master spoke to Glenn Adolpho who stated that he was adopted by the decedent's parents and is therefore legally her sibling.

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

The decedent had three siblings and of those three, only Glenn Adolpho is living.

The decedent's sister Blossom Kawaa died after the decedent in 2017. She did not have a spouse or descendants. Therefore, her share shall lapse to the other siblings. The decedent's other sister Victoria Mollena died after the decedent in 2016, who was survived by her spouse who died in 2018. He was survived by nine descendants who shall take his 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:

GLENN ADOLPHO – ONE-HALF (1/2)
OLIVIA MING-TOI RIEL – ONE-EIGHTEENTH (1/18)
LAVERNE ORTEGA – ONE-EIGHTEENTH (1/18)
JOIE-MAE COELHO – ONE-EIGHTEENTH (1/18)
MAELYNNE MOLLENA – ONE-EIGHTEENTH (1/18)
LEROY MOLLENA III – ONE-EIGHTEENTH (1/18)
ELROY MOLLENA – ONE-EIGHTEENTH (1/18)
DARLYNNE MOLLENA – ONE-EIGHTEENTH (1/18))
TROY MOLLENA – ONE-EIGHTEENTH (1/18)
WENDEL MOLLENA – ONE-EIGHTEENTH (1/18)

(C) ANGELINE ANGELINA AGUSTIN

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to

Abraham J. Agustin, Sr. There was no will or trust submitted. Your Master reviewed an email that confirms the surviving spouse.

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

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

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

ABRAHAM J. AGUSTIN SR.

(D) ALFRED CHARLES AH LOO JR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Roberta Lynn Afalla, also known as Roberta Lynn Ah Loo. 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, **ROBERTA LYNN AH LOO.**

(E) LINDBERGH MOKIHANA AKITA

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Wendy Wiswell, also known as Wendy Akita, who died after the decedent. There was no will or trust submitted. Your Master was unable to contact a family member.

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

Because the surviving spouse died after the decedent, her estate controls. Pursuant to HRS §560:2-102, since one or more of the decedent's surviving descendants are not descendants of the surviving spouse, she is entitled to receive the first \$100,000, plus one-half of any balance of the intestate estate with the descendants receiving the other one-half.

The decedent was survived by two descendants. One died after the decedent and did not leave a spouse or children. Therefore, her share shall lapse to her sister. The surviving spouse's

\$100,000 plus one-half shall be distributed to her sole descendant. This is the same descendant as the decedent's.

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

(F) MABEL P. CHAR (also known as PUANANI M. CHAR)

Your Master reviewed the facts contained in Petition #30 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 Puanani M. Char dated December 18, 1995, and First Codicil dated June 29, 2005, which were admitted to probate. The Will is a pour over will and directs the residuary estate to the Bernie K. and Puanani M. Revocable Trust, dated December 18, 1995.

Copies of the Will, Codicil and Letters Testamentary are attached as Exhibit "B" to Petition #30. A copy of the Trust was not provided. However, a copy of the Statement of Informal Probate of Will and of Informal Appointment of Personal Representative was sent in and is attached as Exhibit "1" and appoints Russell A. Char as the Personal Representative. In an abundance of caution, your Master recommends that the distribution be made to the Estate since we do not have a copy of the Trust.

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 the **RUSSELL A. CHAR, Personal Representative of the Estate of Puanani M. Char, also known as Mabel P. Char.**

(G) WESLEY-ALLEN NAMAKAOKALANI PURDY

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. Your Master also reviewed the Letters of Administration, filed on November 16, 2004, in P. No. 04-1-000521, in the First Circuit, State of Hawai'i. Exhibit "C" of Petition #30.

Paragraph 1-5.1(B)(1) of the QST instructs the Trustee to distribute the decedent's settlement consistent with the open probate proceeding. However, the Letters limit the Personal Representative to administrate the settlement for the decedent's estate. Therefore, your Master agrees with the Probate Special Counsel that it is appropriate to determine the appropriate distribution in accordance with the laws of intestacy.

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.

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:

GAVIN PURDY – ONE-SIXTH (1/6)
BRYSON PURDY – ONE-SIXTH (1/6)
AUSTIN PURDY – ONE-SIXTH (1/6)
MICKY PURDY – ONE-SIXTH (1/6)
SARA SUE FRYMAN PURDY – ONE-SIXTH (1/6)
MARY PURDY – ONE-SIXTH (1/6)

(H) JULIA KAUPENA AIPOALANI WONG

Your Master reviewed the facts contained in Petition #30 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, Sundra Ornellis who confirmed that her mother did not have a Will or Trust and that the surviving descendants are listed correctly 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 was survived by six descendants, two of whom died after the decedent. The decedent also had a child who predeceased her and left an heir.

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:

CARTER WONG – ONE-SEVENTH (1/7)
VON SCOTT WONG – ONE-SEVENTH (1/7)
STEPHEN WONG – ONE-SEVENTH (1/7)
SUNDRA ORNELLIS – ONE-SEVENTH (1/7)
JAMES AVILLA – ONE-SEVENTH (1/7)
TUNYA AGAO – ONE-TWENTYFIRST (1/21)
DAWNE K. DEPONTE – ONE-TWENTYFIRST (1/21)
LAURIE K. BALALIO – ONE-TWENTYFIRST (1/21)
WINI LEILANI PELLETIER – ONE-SEVENTH (1/7)

(I) LINCOLN ELIWAI KAAI, SR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Violet Hao, also known as Violet Hao Kaai, who died after the decedent. No Will or Trust has been submitted. Your Master received an email from the decedent's daughter-in-law, Marcie Kaai, who confirmed that the decedent and his wife did not have a Will or a Trust and that Leilani Kaai is their sole heir.

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 surviving spouse had three children, one of whom is living. The other two predeceased their mother and did not leave any 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 to the sole heir,
LEILANI KAAI.

(J) ANNIE J.K.D. HOGAN

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to James E. Hogan.

Your Master reviewed the Last Will and Testament of Annie J. Hogan, dated March 30, 2005, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Hogan Family Trust, dated November 18, 2004.

The Trust indicates that James E. K. Hogan and Hyland P. K. Hogan are the next-acting Co-Trustees. Copies of the Will and the Trust are attached as Exhibit “D” to Petition #30.

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 **James E. K. Hogan and Hyland P. K. Hogan as Co-Trustees of the Hogan Family Trust, dated November 18, 2004**, to be distributed in accordance with the terms of the Trust.

(K) RICHARD NIXON NAHINU KAMAKA

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Widowed. No Will or Trust has been submitted. Your Master was unable to contact a family member.

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

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

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

NAPUAALOHAOLEINANI TATAIPU – ONE-HALF (1/2)
ABRAHAM KAMAKA – ONE-HALF (1/2)

(L) PETER AKONI KAWAA JR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's obituary does not mention a spouse or descendants. 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:

LYMAN K. KAWAA – ONE-THIRD (1/3)
DARREN KAWAA – ONE-THIRD (1/3)
RANDALL KAWAA – ONE-THIRD (1/3)

(M) THOMPSON MAKAEANA

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Joyce Kaluhiwa, also known as Joyce Meafou, who died after the decedent. She left a surviving spouse, Iefata Meafou.

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 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. Because Joyce Meafou left a surviving spouse when she died, he shall take her half. The decedent's children shall take the other half. Of the four children, one died after the decedent and left a surviving spouse, who shall take his wife's 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:

IEFATA K. MEAFOU – ONE-HALF (1/2)
THOMPSON K. MAKAEANA – ONE-EIGHTH (1/8)
CRYSTAL L. MAKAEANA – ONE-EIGHTH (1/8)
DANIEL MAKAEANA – ONE-EIGHTH (1/8)
IVAN SATO – ONE-EIGHTH (1/8)

(N) **LOUISIANA ANN HATCHETT**

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Robert

Earl Hatchett. 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,

ROBERT EARL HATCHETT.

(O) CLARENCE S. KENUI SR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Lorraine Plunkett, also known as Lorraine P. Kenui, who died after the decedent. No Will or Trust has been submitted. Your Master was unable to contact a family member.

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 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.

If the decedent was survived by his spouse, Lorraine P. Kenui and his three children, his distribution would be divided one-half to Lorraine and one-half divided equally among the three children. Since Lorraine died after the decedent, her one-half would pass to the same three children. However, one of the children predeceased Lorraine, and that share shall be distributed to 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."

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:

CLARENCE S. KENUI, JR.- ONE-THIRD (1/3)
WAYNETTE L. AWANA - ONE-THIRD (1/3)
FERNANDO BERNARDO HELGENBERGER - ONE-SIXTH (1/6)
KAMOIBRAD HELGENBERGER - ONE-SIXTH (1/6)

(P) GARY S. KENUI SR.

Your Master reviewed the facts contained in Petition #30 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:

GARY S. KENUI, JR. – 1/3 (ONE-THIRD)
RYAN TUZON – 1/3 (ONE-THIRD)
KATIE ELIZABETH MORENO – 1/3 (ONE-THIRD)

(Q) DELANO ROOSEVELT MAKUA KEOHOKAPU

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Never Married.

Your Master reviewed the Last Will and Testament of Delano Roosevelt Makua Keohokapu, dated September 18, 2021, which has not been admitted to probate but directs the residue of the estate to be devised to his niece, **DARCY JOY ULULANI KUU-LEI MOKIHANA DUNCAN**. The Will is attached as Exhibit "F" to Petition #30.

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 **DARCY JOY ULULANI KUU-LEI MOKIHANA DUNCAN**.

(R) ERLENE LUKA LAHAPA KAUHANE CABRINHA

Your Master reviewed the facts contained in Petition #30 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 an email from the decedent's granddaughter, Shaina Ava. She confirmed that her grandmother did not have a Will or Trust and that the living descendants of the decedent are listed below as well as the surviving spouse of a deceased descendant.

The documents submitted for this decedent were incomplete estate planning documents and your Master agrees that the laws of intestacy should apply. The decedent was survived by four children, one of whom died after the decedent. Her surviving spouse 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:

ERLENE LAHAPA ICHIMURA - ONE-FOURTH (1/4)
ERNETTE HAAHEO SCANLAN - ONE-FOURTH (1/4)
ALVIN CABRINHA JR. - ONE-FOURTH (1/4)
SIPI SILIGA - ONE-FOURTH (1/4)

(S) MARGARET K. LEONARD

Your Master reviewed the facts contained in Petition #30 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 an email from the decedent's daughter, Alice Leonard. She confirmed that her mother-in-law did not have a Will or Trust and that she is the surviving spouse of one of the descendants of the decedent. All three of the decedent's children are deceased. Alice also verified that the decedent's deceased daughter, Margaret Leonard, was survived by her children but has no information on them.

Based on this new information, your Master recommends that this decedent be taken off of this Petition to allow further research on the decedent's living heirs.

(T) ANNETTE HINAULUOHIA HALEAKALA COATS

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Gary Coats.

Your Master reviewed the Last Will and Testament of Annette H. Coats, dated June 16, 2016, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Annette H. Coats Living Trust, dated June 16, 2016.

The Trust indicates that Anthony M. Haleakala is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "H" to Petition #30.

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 **ANTHONY M.**

HALEAKALA, Trustee of the Annette H. Coats Living Trust dated May 22, 2007, to be administered in accordance with the terms of said Trust.

(U) CAROLINE PIKAKE KAHUE

Your Master reviewed the facts contained in Petition #30 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:

JONATHAN KAHUE – ONE-HALF (1/2)
JACOB K. KAHUE – ONE-HALF (1/2)

(V) JOSEPH BERNARD MATTSON JR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Leilani Marvazola Ahia, also known as Leilani M. Ahia-Mattson. 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,
LEILANI M. AHIA-MATTSON.

(W) ROBERT KAIALAU JR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's obituary notes that he was survived by his wife, Darnell M. Kaialau and children. 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,
DARNELL M. KAIALAU.

(X) NONA LEILANI BOUDREAU

Your Master reviewed the facts contained in Petition #30 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 Darcel Naki, the decedent's granddaughter who confirmed the below is accurate.

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 three children. Sandra Raniada predeceased her and had two children who shall take her share. Beatrice Hudman died after the decedent and her surviving spouse 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 as follows:

CLARENCE C. CARTER – ONE-THIRD (1/3)
CAMERON RANIADA – ONE-SIXTH (1/6)
DARCEL NAKI – ONE-SIXTH (1/6)
RONALD EUGENE HUDMAN – ONE-THIRD (1/3)

(Y) ROBERT LOPAKA NAKIHEI, JR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's obituary notes that he was survived by his wife Diana Kau'i and children. No Will or Trust has been submitted. Your Master spoke to the decedent's son, Robert Nakihei, III who confirmed that his parents did not have a Will or Trust and that he and sister are the only descendants of the decedent.

Because the surviving spouse died after the decedent, her estate controls. 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. However, since the surviving spouse died after the decedent, her descendants shall receive 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:

ROBERT LOPAKA NAKIHEI, III – ONE-HALF (1/2)
1816 Auiki Street
Honolulu, Hawaii 96819
BLÉN KEHAULANI NAKIHEI – ONE-HALF (1/2)

(Z) ALICE KAAKAU KEPANO SERION

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Henry Serion who died after the decedent.

Your Master received a copy of the decedent's will from Lynette Christensen-Serion which appears to have been probated on November 16, 2004. Exhibit "2." The Will leaves the residuary to the decedent's spouse, Henry Serion, Sr., if he survives her, which he did. According to Lynette, Henry Serion had a Trust which she was to provide. She also included the

death certificate of her brother Russell Serion, filed under seal. Your Master has not received the Trust as of the date of this Report.

If no Trust is provided, then 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. Here the surviving spouse remarried and is now deceased. Therefore, under the laws of intestacy, his surviving spouse shall take his 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 to the surviving spouse's surviving spouse, **MARY LOUISE SERION**. Upon receipt of a valid trust, your Master will amend her recommendation.

(AA) PETER ALVIN POAIPUNI SR.

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Julie Ann Bruchal, also known as Julie Ann Poaipuni who died after the decedent. There was no will or trust submitted. Your Master was unable to contact a family member.

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

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

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

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

PETER A. POAIPUNI JR. – ONE-THIRD (1/3)
MICHAEL W. POAIPUNI – ONE-THIRD (1/3)
MOANA M. POAIPUNI – ONE-THIRD (1/3)

(BB) MIRIAM R. TORTOLERO

Your Master reviewed the facts contained in Petition #30 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 Miriam V. R. Tortolero, dated March 31, 2006, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Restatement of the Miriam V. R. Tortolero Revocable Trust, dated August 14, 1992.

The Trust indicates that Leonani Sherri Tortolero and Dolores Kuulei Tortolero are the next-acting Co-Trustees. Copies of the Will and the Trust are attached as Exhibit “I” to Petition #30.

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 **LEONANI SHERRI TORTOLERO and DOLORES KUULEI TORTOLERO, Co-Trustees of the Restatement of the Miriam V.R. Tortolero Revocable Trust dated August 14, 1992**, to be distributed in accordance with the terms of the Trust.

(CC) GREATHIA ODELL

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent’s obituary does not name a surviving spouse. No Will or Trust has been submitted. Your Master was unable to contact a family member.

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

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

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

JAMES ODELL – ONE-HALF (1/2)
MARK ODELL – ONE-HALF (1/2)

(DD) YVONNE LUANA PUAKEA STEVENS

Your Master reviewed the facts contained in Petition #30 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Albert

Kealoha Stevens, Jr., who died after the decedent. No Will or Trust has been submitted. Your Master was unable to contact a family member.

Because the surviving spouse died after the decedent, his estate controls. 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:

SHERWIN STEVENS – ONE-THIRD (1/3)
BOYD STEVENS – ONE-THIRD (1/3)
RENWICK STEVENS – ONE-THIRD (1/3)

(EE) INGA KANEAIKALA also known as INGA LEILANI HATORI

Your Master reviewed the facts contained in Petition #30 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. 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:

BENJAMIN K. KANEAIKALA III – ONE-THIRD (1/3)
RALPH LAANUI KANEAIKALA – ONE-THIRD (1/3)
ELIZABETH K. LAANUI – ONE-THIRD (1/3)

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 #30;
- B. That the Court grant the Petition for Instructions #30, filed July 17, 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 September 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, September 22, 2026.

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

EMILY H. KAWASHIMA, 6498-0
AAL, LLC

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FIRST CIRCUIT
1CTR-23-0000142
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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)

**EXHIBITS "1" – "2" TO PROBATE
SPECIAL MASTER'S REPORT RE:
PETITION FOR INSTRUCTIONS #30**

Hearing:

Date: October 16, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**EXHIBITS "1" – "2" TO PROBATE SPECIAL
MASTER'S REPORT RE: PETITION FOR INSTRUCTIONS #30**

June C. Ikemoto 3689
Law Office of June C. Ikemoto
4180 Rice Street, Suite 102B
Lihue, HI 96766-1470
Telephone: 808-246-3435

Attorney for Applicant

5TH CIRCUIT COURT
STATE OF HAWAII
FILED

2015 FEB 10 PM 3: 52

CHRISTINE MARTINEZ
CLERK

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAII

THE ESTATE	)	P. NO. <u>15-10014</u>
	)	(Informal)
OF	)	
	)	STATEMENT OF INFORMAL
PUANANI M. CHAR, also known as	)	PROBATE OF WILL AND OF
MABEL P. CHAR,	)	INFORMAL APPOINTMENT OF
	)	PERSONAL REPRESENTATIVE
Deceased.	)	
_____	)	

STATEMENT OF INFORMAL PROBATE OF WILL AND OF
INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE

The application of Applicant Russell A. Char, for the informal probate of the last will and for the informal appointment of personal representative of the decedent having been considered by the undersigned Registrar of this Court, the undersigned Registrar hereby makes the following determinations:

1. The Application for the Informal Probate of Will and for Informal Appointment of Personal Representative is complete.
2. The Applicant has made an oath or affirmation that the statements contained in the Application are accurate and complete to the best of the Applicant's knowledge and belief.
3. The Applicant appears from the Application to be an interested person as defined in HRS Section 560:1-201.
4. From the statements in the Application, the person whose appointment as Personal Representative is sought has priority entitling the person to appointment.
5. On the basis of the statements in the Application, venue is proper.

EXHIBIT "1"

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RECEIVED

6. An original, duly executed and apparently unrevoked Will is in the Registrar's possession.

7. Any notice as required by HRS Sections 560:3-204 and 560:3-306 has been given or waived.

8. The Application does not relate to one or more of a known series of testamentary instruments (other than a will and its codicils), the latest of which does not expressly revoke the earlier.

9. It appears from the Application that the time limit for original probate and appointment proceedings contained in HRS Section 560:3-108 has not expired.

10. No petition for formal testacy proceedings relating to the decedent has been filed in this State.

NOW, THEREFORE, it is hereby stated by the Registrar:

1. The last will of the decedent executed on December 18, 1995, with the First Codicil to the Last Will and Testament dated January 29, 2005, is formally admitted to probate.

2. Russell A. Char is informally appointed as Personal Representative of the estate of the decedent, without bond, in an unsupervised administration, and Letters Testamentary shall issue upon acceptance to the Personal Representative.

3. The Letters Testamentary and authority of the Personal Representative shall expire three (3) years from the date hereof unless renewed for good cause.

DATED: Lihue, Hawaii, February 10, 2015.



Registrar of the above-entitled Court

P. No. _____; The Estate of Puanani M. Char, also known as Mabel P. Char, Deceased; Statement of Informal Probate of Will and of Informal Appointment of Personal Representative

NOV 16 2004

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E. YAMABE

Clerk, Third Circuit Court, State of Hawaii

Last Will and Testament

of

ALICE K. SERION

I, ALICE K. SERION, a resident of the County and State of Hawaii, being of sound mind and body, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils previously made by me, if any; and for the final disposition of all my property, I do hereby provide:

ARTICLE FIRST: I am married to HENRY SERION, SR., and all references to "my husband" are to him. I have five natural children whose names and birthdates are: HENRY SERION, JR, d.o.b. [REDACTED]/47; ROBERT K. SERION, d.o.b. [REDACTED]/50; RUSSELL P. SERION, d.o.b. [REDACTED]/52; KELSON A. SERION, d.o.b. [REDACTED]/64 and KATHLEEN A. HEW-LEN, [REDACTED]/67.

ARTICLE SECOND: It is my intention to bequeath all of my property, real and personal, tangible and intangible, owned by me at the time of my death.

ARTICLE THIRD: I direct that there be paid out of my residuary estate the expenses incurred in transferring and delivering to the legatees at their residences all bequests made hereby, and all estate, inheritance, succession and transfer taxes (including interest and penalties thereon) imposed by the United States or any state, territory, or possession thereof imposed by reason of my death, whether or not measured by property passing under this Will. Estate taxes shall not be apportioned, and no estate, inheritance, succession or other death taxes shall be recovered from any person receiving property by which a tax is measured.

ARTICLE FOURTH: Personal and Household Effects. I hereby give, all of my household effects and tangible personal property I may own at my death, such as jewelry, clothing, furniture, books and pictures, to my husband, if he shall survive me, and if he shall not survive me then I give all such property to my children, to be divided among them as they agree. Should they be unable to agree on such division, each shall make an alternate choice of an article until distribution of all articles among them is completed. Priority of choice shall be according

1

A.K.S.

I hereby certify that this is a full, true and correct copy of the original on file in this office.

[Signature]
Clerk, Third Circuit Court, State of Hawaii

EXHIBIT "2"

to age, eldest first. If any child is below the age of 15 at the time that child is to participate in the division of the items in this Article, then that child's guardian or a person with whom said child is residing shall make the choices for said child.

Distribution to Minor Children. If any child of mine is a minor at the time that said child is to participate in the division of my personal and household effects, my personal representative may distribute said child's share to said child or for said child's use to said child's guardian or to any person with whom said child is residing without further responsibility, and the distributee's receipt shall be a sufficient discharge of my personal representative.

Memorandum regarding tangible personal property. Notwithstanding the above, if I have written a memorandum to my personal representative prior to the execution of this will concerning the disposition of certain items of my tangible personal property, then I hereby incorporate by reference such written memorandum, and I direct my personal representative to distribute all such tangible personal property to the person or persons as provided in that written statement, including any amendments which may be made hereafter.

ARTICLE FIFTH: I hereby give, devise and bequeath to my husband any and all real property wherever situated, which I may own at the time of my death, if he shall survive me and if he shall not survive me then I devise such property to my children, per stirpes.

ARTICLE SIXTH: I hereby give, devise and bequeath my interest in: a) the 17 cu. ft. GE freezer, b) the 1973 19 ft. FIBERFORM inboard motorboat, and c) the four (4) burial plots I own at the Hualalai Cemetery, North Kona, Hawaii, to my husband, if he shall survive me. If he shall not survive me, then I direct that they be sold and the proceeds distributed along with the residue of my estate.

ARTICLE SEVENTH: I hereby give, devise and bequeath all the rest, residue and remainder of my estate, of whatever kind or character and wheresoever situated, to my husband, if he shall survive me, or if he shall not survive me, then I leave all such property to my children, per stirpes.

ARTICLE EIGHTH: If my husband does not survive me, I direct my personal representative to sell any real property and motor vehicles I may own at my death, including the lot and house at Kona Highlands Subdivision, North Kona, Hawaii, and to distribute the proceeds, less the expenses of sale, as part of the residue of my estate. The sale may be either public or private, and may be made on such terms, including the acceptance

of a purchase money mortgage, as in the opinion of my personal representative shall be most advantageous to the beneficiaries of this bequest.

ARTICLE NINTH: As used herein, "children" and "child of mine" means such issue of mine of the first generation and includes any child born to or adopted by me after the date of this will. "Per stirpes" means in equal shares among living children and the issue of deceased children, the latter taking by right of representation.

ARTICLE TENTH: I have intentionally omitted all of my heirs or other relatives who are not specifically mentioned herein. I specifically disinherit any person claiming to be my heir in law, except as otherwise mentioned in this will.

ARTICLE ELEVENTH: For purposes of this Will, anyone who dies within sixty (60) days after the date of my death shall be considered to have died before me.

ARTICLE TWELFTH: If any person, whether or not related in any way by blood to me shall either directly or indirectly attempt to oppose or set aside the probate of this Will or to impair or invalidate any of the provisions hereof, and such person shall establish a right to any part of my estate, I give and bequeath to such person the sum of one dollar (\$1.00) only and no further interest whatsoever in my estate.

ARTICLE THIRTEENTH: I hereby nominate and appoint my husband to be my Personal Representative of this my Last Will and Testament, to serve without bond. Should he be unable or unwilling for any reason whatsoever to act as my personal representative, I then appoint my daughter, KATHLEEN A. HEW-LEN, of Kalaoa, (P.O. Box 432 Holualoa, Hawaii), to serve as Personal Representative without bond. Should she be unable or unwilling for any reason whatsoever to act as my personal representative, I then appoint my son, KELSON A. SERION, to serve as Personal Representative without bond.

ARTICLE FOURTEENTH: In addition to all powers my Personal Representative may have by law, my Personal Representative will have full power, authority and discretion to do all my Personal Representative thinks necessary or desirable in administering my Probate Estate. My Personal Representative will also have the following specific powers exercisable without court approval:

(a) to sell, lease for any length of time, exchange, mortgage, pledge, or assign all or any part of the property in my Probate Estate;

(b) to distribute property in kind or in money and in divided or undivided interests without being required to keep the

beneficiaries' interests in any one property equal or proportionate, and to allocate property among beneficiaries and to adjust resulting differences in valuation; and

(c) to appoint an ancillary personal representative to act in any jurisdiction where ancillary administration is necessary.

IN WITNESS WHEREOF, I have signed this Last Will and Testament this 17th day of November, 1988.

Alice K. Serion
ALICE K. SERION

SIGNED, PUBLISHED and DECLARED by the said ALICE K. SERION, as her Last Will and Testament, in the presence of us, who have signed our names as witnesses to the same this 17th day of November, 1988.

Gerald A. Garcia
Witness

P.O. Box 390572
Address

Kailua - Kona, HI 96739

Yvonne A. Garcia
Witness

P.O. Box 390572
Address

Kailua - Kona, HI 96739

STATE OF HAWAII)
) ss.
COUNTY OF HAWAII)

WE, the undersigned, the testatrix and witnesses, respectively, whose names are signed to the foregoing Last Will and Testament, being first duly sworn, do hereby declare to the undersigned authority (1) that the testatrix signed and executed the instrument as her Last Will and Testament and that she executed it willingly as her free and voluntary act for the purposes therein expressed; and (2) that each of the witnesses, in the presence and hearing of the testatrix signed the Will as witnesses and that, to the best of the knowledge of each of the witnesses, the testatrix was at that time, eighteen or more years of age, of sound mind and under no constraint or undue influence.

Alicia K. Larson
Testatrix

Ninfa G. Garcia
Witness

Gerald A. Garcia
Witness

SUBSCRIBED and SWORN to and acknowledged before me by
NINFA G. GARCIA as the testatrix and subscribed and sworn to
before me by Ninfa G. Garcia, and
Gerald A. Garcia, witnesses, this 17 day of
Nov., 1988.

E. J. Smith
Notary Public, State of Hawaii
My Commission Expires: 3-26-90