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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 #27, FILED  
FEBRUARY 20, 2026; EXHIBIT "1";  
CERTIFICATE OF SERVICE**

Hearing:

Date: June 5, 2026

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S  
REPORT RE: PETITION FOR INSTRUCTIONS #27**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #27, filed February 20, 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 June 5, 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 #27, filed February 20, 2026, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on March 16, 2026 and March 23, 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 #27 in the Honolulu Star-Advertiser on March 16, 2026 and March 23, 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) EARL COCKRITT WEDEMEYER**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to

Barbara Jean Kahoiwai also known as Barbara Jean Wedemeyer, who died after the decedent. No Will or Trust has been submitted.

Because the surviving spouse died after the decedent, her estate controls. Your Master reviewed Exhibit “A,” Affidavit of Collection for the Estate of Barbara Jean Wedemeyer and agrees that it is not complete or enforceable.

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:

**DANA E. WEDEMEYER-STEELE – ONE-THIRD (1/3)**  
**NOELLE KANOHO – ONE-THIRD (1/3)**  
**JULIE WEDEMEYER – ONE-THIRD (1/3)**

(B) **AUSTIN KAULUHAIMALAMA WHITING**

Your Master reviewed the facts contained in Petition #27 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 Austin Kauluhaimalama Whiting, dated August 24, 2016, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Austin Kauluhaimalama Whiting, Jr. Revocable Trust, dated September 17, 1991, as amended, attached as Exhibit “B” to Petition #27.

Unfortunately, there is no Trust provided and therefore your Master cannot determine who the current Trustee is.

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 **Successor Trustee of the Austin Kauluhaimalama Whiting, Jr. Revocable Trust, dated September 17, 1991, as amended**, to be distributed in accordance with the terms of the Trust.

(C) **MELVIN LEIALOHA KIAAINA**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Lorelei Haunani Anahu, also known as Lorelei Haunani Kiaaina, who died after the decedent. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Esther Kiaaina, who confirmed that her father did not have a Will or Trust and that she and her five siblings are the only descendants of the decedent.

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, 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:

**RICKEY PA – ONE-SIXTH (1/6)**  
**NADINE NOMURA – ONE-SIXTH (1/6)**  
**NOLA MENTO – ONE-SIXTH (1/6)**  
**KEOLAMAULO LAAKEA KIAAINA – ONE-SIXTH (1/6)**  
**ESTHER KIAAINA – ONE-SIXTH (1/6)**  
**MELVIN KIAAINA JR. – ONE-SIXTH (1/6)**

(D) **MARGARET MALIA SATO**

Your Master reviewed the facts contained in Petition #27 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 Nicole Troche who confirmed that her mother did not have a Will or a Trust and she and her five siblings are the decedent's only descendants.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. One descendant, Lei Waiola Deluze, predeceased the decedent and was survived by two descendants who shall take their mother's share 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:

**ELEANOR CASH – ONE-FIFTH (1/5)**  
**DONNA AKI – ONE-FIFTH (1/5)**  
**FRANCIS SATO JR. – ONE-FIFTH (1/5)**  
**IVAN SATO – ONE-FIFTH (1/5)**  
**NICOLE TROCHE – ONE-TENTH (1/10)**  
**RENA TECHUR – ONE-TENTH (1/10)**

(E) **LAZARIUS MANULANI KALUA**

Your Master reviewed the facts contained in Petition #27 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, Tammielynn Kalua who confirmed that her father did not have a Will or Trust and that she and her three siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. Two of the decedent's descendants died after the decedent. Only one left a surviving heir who shall take his father'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 as follows:

**TAMMIELYNN KALUA – ONE-FOURTH (1/4)**  
**JOSHUA KALUA – ONE-FOURTH (1/4)**  
**NADINE PALEKA-KALUA – ONE-FOURTH (1/4)**  
**IONA KALAUALII BENJAMIN KALUA – ONE-FOURTH (1/4)**

(F) **ALICE GREENWOOD**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's obituary did not mention a surviving spouse. No Will or Trust has been submitted. Your Master spoke to the decedent's son, James Daniel Hatchie, who stated that his mother may have had a Will and he will submit it if he can locate it prior to the hearing. He also informed your Master that the decedent had another son, Kalani Rimer, who is his half-brother. He currently lives in Seattle, Washington but did not have a mailing address.

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 DANIEL HATCHIE – ONE-HALF (1/2)**  
**KALANI RIMER – ONE-HALF (1/2)**

(G) **GABRIEL J.K. LINDSEY**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widower.

Your Master reviewed the Last Will and Testament of Gabriel Kawanakoa Lindsey, dated May 10, 1991, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Gabriel Kawanakoa Lindsey Revocable Living Trust, dated May 10, 1991. Your Master also reviewed the First Codicil dated May 30, 2012, in which the decedent exercises his power of appointment under the Annabelle Ululani Lindsey Revocable Living Trust, dated May 10, 1991. Your Master also reviewed the Third Codicil, dated June 19, 2012, in which the decedent amended his power of appointment under the Annabelle Ululani Lindsey Revocable Living Trust, dated May 10, 1991.

Your Master reviewed the Gabriel Kawanakoa Lindsey Revocable Living Trust, dated May 10, 1991, and the First Amendment, dated August 10, 2005 and the Second Amendment, dated May 20, 2012.

The First Amendment of the Trust indicates that Leif Keoni Lindsey is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "C" to Petition #27.

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 **LEIF KEONI**

**LINDSEY, Trustee of the Gabriel Kawanakoa Lindsey Revocable Living Trust, dated May 10, 1991, as amended,** to be distributed in accordance with the terms of the Trust.

(H) **ISABELLA SYLVIA CREELMAN**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Thomas Eugene Creelman, who died after the decedent. No Will or Trust has been submitted. Your Master received an email from the decedent's son, Thomas Creelman, Jr. He confirmed that his parents did not have a Will or Trust and that he and his two siblings are the only descendants of the decedent.

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, 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:

**THOMAS EUGENE CREELMAN JR. – ONE-THIRD (1/3)**  
**TONI LAMANNA – ONE-THIRD (1/3)**  
**THERESAANN CREELMAN – ONE-THIRD (1/3)**

(I) **SHEILA MAHEALANI DEAL**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to David F. Deal, who died after the decedent. No Will or Trust has been submitted. Your Master received an email from the decedent's daughter, Eliza David. She confirmed that her mother and father did not have a Will or Trust and that she and her two siblings are the only descendants of the decedent.

Because the surviving spouse died after the decedent, his estate controls. Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. One of the descendants, Joseph Deal, died after the decedent and her spouse. He left a minor child 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:

**DAVID ILI – ONE-THIRD (1/3)**  
**SHYKHAN ILI-DEAL – ONE-THIRD (1/3)**  
**S.M.B.B.V.D., A MINOR – ONE-THIRD (1/3)**

(J) **DAVID KEOLA CULLEN, SR.**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Ruth Tanaka, also known as Ruth Cullen. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Corrine Cullen who confirmed that her father did not have a Will or Trust and her mother Ruth and the decedent are the parents of all descendants.

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

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

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

(K) **ROBIN RAYMOND CASTILLO**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Kauionalani Lorraine King, also known as Kauionalani Castillo. 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 **KAUIONALANI CASTILLO.**

(L) **LEONA PIILANI JAN**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Albert Jan who died after the decedent. No Will or Trust has been submitted. Your Master received an email from the decedent's son, Albert, who confirmed that his mother and father did not have a Will or Trust and that he and his sister are the only descendants of the decedent.

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

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

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

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

**ALBERT KALANI JAN – ONE-HALF (1/2)**  
**JANAL K. KAINA – ONE-HALF (1/2)**

(M) **NATHAN OIKEWE FOSTER**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Johnelle Uahinui, also known as Johnelle Foster. There was no will or trust submitted. Your Master spoke to the decedent’s first spouse, Tracy, who confirmed that she has two sons with the decedent. He then remarried and had three additional children.

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 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 as follows:

**JOHNELLE FOSTER – FIRST \$100,000, PLUS ONE-HALF (1/2) OF BALANCE**  
**DANIEL JAMES FOSTER – ONE-TENTH (1/10) OF BALANCE**  
**NICHOLAS RYAN FOSTER – ONE-TENTH (1/10) OF BALANCE**  
**CHATHAN-JOHN FOSTER-UAHINUI – ONE-TENTH (1/10) OF BALANCE**  
**CHLAYTON-JOSEPH FOSTER-UAHINUI – ONE-TENTH (1/10) OF BALANCE**  
**CECILIA-GALE FOSTER – ONE-TENTH (1/10 OF BALANCE)**

(N) **ARTHUR RHINEHART JENSEN**

Your Master reviewed the facts contained in Petition #27 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, Jocelyn Lasher, who confirmed that her father did not have a Will or Trust and that she and her two siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-103, 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:

**RHINEHART JENSEN – ONE-THIRD (1/3)**  
**SEAN JENSEN – ONE-THIRD (1/3)**  
**JOCELYN LASHER – ONE-THIRD (1/3)**

(O) **FAYE ALOHA HUDMAN**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Never Married. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Amy Hudman, who confirmed that her mother did not have a Will or Trust and that she and her three siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-103, under the laws of intestacy, when there is no surviving spouse, then the intestate share goes to the decedent's descendants in equal shares. One of the decedent's descendants, Roxanne Torres, died after the decedent. She is survived by spouse, Harlen Torres, who shall take her share.

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

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

**ALAN HUDMAN – ONE-FOURTH (1/4)**  
**ANDREW HUDMAN – ONE-FOURTH (1/4)**  
**AMY HUDMAN – ONE-FOURTH (1/4)**  
**HARLEN TORRES – ONE-FOURTH (1/4)**

(P) **ALBERT KALOI**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to

Eleanor E. Bento, also known as Eleanor Kaloi, 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. The surviving spouse's obituary lists seven descendants. Two of the descendants died after their mother. Sonny Kaloi, deceased, was survived by three children. Cheryl Bingo, deceased, left a Will gifting her residuary to her four descendants, should they be over 21 years old. Your Master was advised that Iris Yempuku was legally adopted by Eleanor Kaloi's parents. Under HRS §560:2-114(b), in effect at the time of Eleanor Bento's death, children adopted by a relative of a genetic parent may retain the right to inherit from their genetic parents

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:

**IRIS YEMPUKU – ONE-SEVENTH (1/7)**  
**ELEANOR VIERRA – ONE- SEVENTH (1/7)**  
**CHARIS GOO – ONE- SEVENTH (1/7)**  
**CASSIDY KALOI – ONE- SEVENTH (1/7)**  
**KATHLEEN A. JOSEPH – ONE- SEVENTH (1/7)**

**SUNNELL LOPES – ONE-TWENTY FIRST (1/21)**  
**SONNY ALBERT KALOI – ONE-TWENTY FIRST (1/21)**  
**KAMREN KALOI – ONE-TWENTY FIRST (1/21)**

**OLGA BINGO – ONE-TWENTY EIGHTH (1/28)**  
**TRACIE BINGO – ONE-TWENTY EIGHTH (1/28)**  
**CHARLES BINGO – ONE-TWENTY EIGHTH (1/28)**  
**ENOKA SHAYNE BINGO – ONE-TWENTY EIGHTH (1/28)**

(Q) **JONATHAN KAWIKA KEKAHU**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Lillian Gonsalves, also known as Lillian Kekahu. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Melissa Moody. She confirmed that her father did not have a Will or Trust and that she is the only descendant of the decedent.

Pursuant to HRS §560:2-102(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 **LILLIAN KEKAHU.**

(R) **JOHN KAAPUIKI KEKAHU III**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Ruby-Ann

Kekahu who confirmed that her father did not have a Will or Trust and that she and her two brothers are the only descendants of the decedent.

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

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

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

**RUBY-ANN KEKAHU – ONE-THIRD (1/3)**  
**JOHN K. KEKAHU, IV – ONE-THIRD (1/3)**  
**CHARLES KEKAHU – ONE-THIRD (1/3)**

(S) **JANE LEILANI TAMASHIRO**

Your Master reviewed the facts contained in Petition #27 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 Jane Leilani Tamashiro, dated March 5, 2007, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Jane Leilani Tamashiro Trust, dated March 5, 2007.

The Trust indicates that JESSE H. TAMASHIRO is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "E" to Petition #27.

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 **JESSE TAMASHIRO, Trustee of the Jane Leilani Tamashiro Trust dated March 5, 2007**, to be distributed in accordance with the terms of the Trust.

(T) **KAREN KAMEALOHA ROSADO**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Raymond C. Rosado, Jr. 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 **RAYMOND C. ROSADO JR.**

(U) **MINNIE KAHIKILANI AKIONA**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Albert L. Akiona, who died after 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.

Your Master spoke with the decedent's daughter, Lucy Finnegan, who informed that her pre-deceased brother, Arthur Louis Imaikalani Akiona, was adopted as a child by his grandmother, Emma Malu Akiona. Under HRS §560:2-125(c) children adopted by a relative of a genetic parent may retain the right to inherit from their genetic parents. Since he predeceased the decedent and her spouse, his two descendants are entitled to take his share.

Your Master reviewed the Closing Statement and Final Account in the Estate of Albert Lohiau Akiona, also known as Albert L. Akiona, 1LP131000474, filed May 27, 2020. Exhibit "F" to Petition #27.

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

The Closing statement at paragraph 6 provides that "[t]he distributees of the estate are Albert Lohiau Akiona, Jr., Kathleen Puaikalani Magdaro and Lucy Ann Kaloioikalani Finnegan. However, the Final Account states that "[a]ll the property in the hands of the Personal Representative were distributed to the sole beneficiary, Lucy Ann Finnegan." It is unclear

whether the three referenced distributees received equal shares and it contradicts the Final Account which states that Lucy Ann Finnegan is the sole beneficiary.

When your Master spoke to Lucy Ann Finnegan, she stated that her intention is to distribute the funds equally to the descendants. She supported a recommendation to distribute in this manner.

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:

**ALBERT AKIONA, JR. – ONE-FOURTH (1/4)**  
**LUCY A. FINNEGAN – ONE-FOURTH (1/4)**  
**KATHLEEN P. MAGDARO – ONE-FOURTH (1/4)**  
**KALAHIKIOLA ARTHUR AKIO AKIONA – ONE-EIGHTH (1/8)**  
**MALUIHIKEAO BRENDON HIDEO AKIONA – ONE-EIGHTH (1/8)**

(V) **ALBERT LOHIAU AKIONA SR.**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widower.

Your Master reviewed the Closing Statement and Final Account in the Estate of Albert Lohiau Akiona, also known as Albert L. Akiona, 1LP131000474, filed May 27, 2020. Exhibit "F" to Petition #27.

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

Your Master spoke with the decedent's daughter, Lucy Finnegan, who informed that her pre-deceased brother, Arthur Louis Imaikalani Akiona, was adopted as a child by his grandmother, Emma Malu Akiona. Under HRS §560:2-125(c) children adopted by a relative of

a genetic parent may retain the right to inherit from their genetic parents. Since he predeceased the decedent and her spouse, his two descendants are entitled to take his share.

The Closing statement at paragraph 6 provides that “[t]he distributees of the estate are Albert Lohiau Akiona, Jr., Kathleen Puaikalani Magdaro and Lucy Ann Kaloioikalani Finnegan. However, the Final Account states that “[a]ll the property in the hands of the Personal Representative were distributed to the sole beneficiary, Lucy Ann Finnegan.” It is unclear whether the three referenced distributees received equal shares and it contradicts the Final Account which states that Lucy Ann Finnegan is the sole beneficiary.

When your Master spoke to Lucy Ann Finnegan, she stated that her intention is to distribute the funds equally to the descendants. She supported a recommendation to distribute in this manner.

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:

**ALBERT AKIONA, JR. – ONE-FOURTH (1/4)**  
**LUCY A. FINNEGAN – ONE-FOURTH (1/4)**  
**KATHLEEN P. MAGDARO – ONE-FOURTH (1/4)**  
**KALAHIKIOLA ARTHUR AKIO AKIONA – ONE-EIGHTH (1/8)**  
**MALUIHIKEAO BRENDON HIDEO AKIONA – ONE-EIGHTH (1/8)**

(W) **SHIRLEYANN HAUNANI KEITH**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Never Married. No Will or Trust has been submitted. Your Master spoke to the decedent’s son, Michael Keith, who confirmed that his mother did not have a Will or Trust and that he and his sister are the only descendants of the decedent.

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

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

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

**JOSETTE MOLETA – ONE-HALF (1/2)**  
**MICHAEL KEITH – ONE-HALF (1/2)**

(X) **BLANCHE C. JAVIER**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed.

Your Master reviewed the Will of Blanche C. Javier, dated October 21, 2005, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Blanche C. Javier Trust, dated October 21, 2005.

The Trust indicates that Marietta L. J. Fujio is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "G" to Petition #27.

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 **MARIETTA L.J.**

**FUJIO, Trustee of the Blanche C. Javier Trust dated October 21, 2005**, to be distributed in accordance with the terms of the Trust.

(Y) **RACHEL KAANEHE**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The SSA death record does not indicate the decedent's 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:

**JOHNSON JACOB – ONE-FOURTH (1/4)**  
**IMOGENE FRANQUEZ – ONE-FOURTH (1/4)**  
**JASMINE KEAR – ONE-FOURTH (1/4)**  
**JUANITA JACOB – ONE-FOURTH (1/4)**

(Z) **ROBERT KAIPO CORDEIRO**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Divorced. No Will or Trust has been submitted. Your Master spoke to the decedent's son, Cody Cordeiro, who confirmed that his father did not have a Will or Trust and that he and his two siblings are the only descendants of the decedent.

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

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

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

**CODY R. CORDEIRO – ONE-THIRD (1/3)**  
**LEHUANANI BRINGUEL – ONE-THIRD (1/3)**  
**LOPAKA CORDEIRO – ONE-THIRD (1/3)**

(AA) **MARY YUK LAN HO**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed .

Your Master reviewed the Pour-Over Will of Mary Yuk Lan Jay Ho, dated December 17, 1992, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Mary Yuk Lan Jay Ho Trust, dated December 17, 1992.

The Trust indicates that Ronald Jay Ho is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "H" to Petition #27.

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 **RONALD JAY HO, Trustee of the Mary Yuk Lan Jay Ho Trust dated December 17, 1992**, to be distributed in accordance with the terms of the Trust.

(BB) **ROSE COMBO**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Victoriano Combo 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. However, 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. HRS §560:2-102. 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 descendants of 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 **JULIANA MONTALVO**.

(CC) **JULIET MEDINA CABANILLA**

Your Master reviewed the facts contained in Petition #27 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."

Several of the descendants either pre-deceased or post-deceased the decedent. Flor Cabanilla died after the decedent and is survived by his spouse, Loan Cabanilla, who shall take his share. Barbara Kaleohano died after the decedent and is survived by her spouse, Hartwell R. Kaleohano, who shall take her share. Janet Marquez died after the decedent and is survived by her spouse, Romulo M. Marquez, who shall take her share.

Lorraine Orr predeceased the decedent and is survived by two descendants. Linda Leialoha predeceased the decedent and was survived by three descendants; one of the descendants, Johnalynn Honda, died and is survived by her spouse, Paul Honda, who shall take her share. The descendants of the predeceased children shall take by representation.

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:

**FELY M. NICHOLSON – ONE-FIFTEENTH (1/15)**  
**RUDY CORTEZ – ONE-FIFTEENTH (1/15)**  
**CYNTHIA MACQUARRIE – ONE-FIFTEENTH (1/15)**  
**PETER M. CABANILLA – ONE-FIFTEENTH (1/15)**  
**TERESITA ANGELO – ONE-FIFTEENTH (1/15)**  
**ERNESTO CABANILLA – ONE-FIFTEENTH (1/15)**  
**EPEPANIA M. CABANILLA – ONE-FIFTEENTH (1/15)**  
**BENNY SUPNET – ONE-FIFTEENTH (1/15)**  
**CATALINO CORTEZ – ONE-FIFTEENTH (1/15)**  
**ELEANOR M. SEELEY – ONE-FIFTEENTH (1/15)**  
**LOAN CABANILLA – ONE-FIFTEENTH (1/15)**  
**HARTWELL R. KALEOHANO – ONE-FIFTEENTH (1/15)**  
**ROMULO M. MARQUEZ – ONE-FIFTEENTH (1/15)**

**MICHAEL ORR - ONE-FORTY-FIFTH (1/45)**  
**DENA DUVALEIX-SMITH – ONE-FORTY-FIFTH (1/45)**  
**KENNETH M. BROGDON JR. HEIRS – ONE-FORTY-FIFTH (1/45)**

**DEEJAY LEIALOHA REZENTES – ONE-FORTY-FIFTH (1/45)**  
**KA'ENAALOHA LEIALOHA – ONE-FORTY-FIFTH (1/45)**  
**PAUL HONDA – ONE-FORTY-FIFTH (1/45)**

(DD) **ALFRED KALANI BEAVER SR.**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Malia Inciong, also known as Malia Beaver. There was no will or trust submitted. Your Master was unable to contact a family member.

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.

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

**MALIA BEAVER.**

(EE) **VIOLA KAPIOLANI WALTJEN**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to James Waltjen who died after the decedent. Because the surviving spouse died after the decedent, his estate controls.

Your Master reviewed the Letters Testamentary, filed on February 17, 2005, in P. No. 05-1-0050, in the Third Circuit, State of Hawai'i as well as the Last Will and Testament of James Waltjen which was admitted to probate. Exhibit "I" of Petition #27.

Paragraph 1-5.1(B)(1) of the QST instructs the Trustee to distribute the decedent's settlement consistent with the open probate proceeding. The Will bequeaths the entire estate to the decedent's son, James Kamuela Waltjen.

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 KAMUELA WALTJEN.**

(FF) **GENESIS NAMAOKALANI LEE LOY**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Elizabeth Genevieve Luahiwa Hoopii, also known as Elizabeth Genevieve Luahiwa Lee Loy, who died after the decedent. Your Master spoke to the decedent's daughter, Bridgit Bales. She confirmed the 12 descendants of the decedent and his spouse. She also noted that her brother, Hillary Lee Loy, has special needs and that his payment should be made directly to his special needs account.

Your Master reviewed the Last Will and Testament of Genesis N. Lee Loy, dated December 21, 1998, as well as the Last Will and Testament of Elizabeth G. L. Lee Loy, dated December 21, 1998, both of which are attached as Exhibit "J" to Petition #27.

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 Wills of both the decedent and his surviving spouse have not been admitted to probate and both direct specific bequests. However, there is no clear residuary clause in either Will.

The Will of Elizabeth G. L. Lee Loy, states at Paragraph 3, "All other accounts, checking, savings, share certificates, distributed to my 12 children." Your Master interprets this as a general clause to bequeath the settlement award equally to the 12 children.

One of the descendant's children, Gerard Lee Loy, died after his parents and is survived by his spouse, Susan Lee Loy, 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:

**MAUREEN RAWLINS – ONE-TWELFTH (1/12)**  
**BRIDGIT BALES – ONE-TWELFTH (1/12)**  
**BLASE LEE LOY – ONE-TWELFTH (1/12)**  
**LAMBERT LEE LOY – ONE-TWELFTH (1/12)**  
**SHAWN LEE LOY – ONE-TWELFTH (1/12)**  
**EMMETT LEE LOY – ONE-TWELFTH (1/12)**  
**HILARY LEE LOY (Payable to his special needs account)**  
**– ONE-TWELFTH (1/12)**  
**IAN LEE LOY – ONE-TWELFTH (1/12)**  
**HEDWIG WARRINGTON – ONE-TWELFTH (1/12)**  
**ELZABETHANNE MASAOKA – ONE-TWELFTH (1/12)**  
**MONICA MORRIS – ONE-TWELFTH (1/12)**  
**SUSAN LEE LOY – ONE-TWELFTH (1/12)**

(GG) **ELIZABETH DAVIS**

Your Master reviewed the facts contained in Petition #27 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed and is being filed under seal. No Will or Trust has been submitted. Your Master spoke to the decedent's daughter, Dawn Branch. She confirmed that her mother did not have a Will or Trust and that she and her two siblings are the only descendants of the decedent. She also noted that her sister, Toni, got married and her new name is reflected 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. Petitioner did not have sufficient information for this decedent and HeirSearch was retained to conduct

research. Attached as Exhibit “1” is their invoice for \$870.50 which should be deducted from the settlement 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, minus \$870.50, as follows:

**DAWN DAVIS BRANCH – ONE-THIRD (1/3)**  
**TONI GRISSOM – ONE-THIRD (1/3)**  
**GILBERT DAVIS – 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 #27;
- B. That the Court grant the Petition for Instructions #27, filed February 20, 2026;
- C. That the Court find that jurisdictional requirements have been met and the venue is proper;
- D. That the Court find 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 May 6, 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.

**DANA E. WEDEMEYER-STEELE**  
P.O. Box 1386  
Cripple Creek, CO 80813

**JULIE WEDEMEYER**  
214 Utah Avenue  
Warner Robins, Georgia 31093

**KUI WEDEMEYER**  
7213 Piedra Drive SW  
Olympia, Washington 98512

**DWIGHT WHITING**  
45-110 Leleua Place  
Kaneohe, Hawaii 96744

**JAY POMAIIKAI THOMAS**  
48-459 Kamehameha Hwy  
Kaneohe, Hawaii 96744

**NADINE NOMURA**  
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Waianae, Hawaii 96792

**KEOLAMAULO A LAAKEA KIAAINA**  
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Kapolei, Hawaii 96707

**KELLIE WEDEMEYER MACFARLANE**  
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Montesano, WA 98563

**CHRISTOPHER WEDEMEYER**  
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**MELVIN KIAAINA JR.**

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**DONNA AKI**

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**LEIF KEONI LINDSEY**

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**KIMOHIKAILALO K. LINDSEY**

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**BLAINE MURAKI**

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**TONI LAMANA**

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**DAVID ILI**

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**ELEANOR CASH**

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**FRANCIS SATO JR.**

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**NICOLE TROCHE**

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**JOSHUA KALUA**

P.O. Box 27  
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**JAMES DANIEL HATCHIE**

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Waianae, Hawaii 96792

**LANCE K. LINDSEY**

2200 S. Fort Apache Road, Unit 2159  
Las Vegas, Nevada 89117

**PANIAU A. LINDSEY**

P.O. Box 2303  
Kamuela, Hawaii 96743

**K.P.L., A MINOR CHILD**

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/s/ Emily H. Kawashima  
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