

EMILY H. KAWASHIMA, 6498-0
AAL, LLLC

Topa Financial Center
700 Bishop Street, Suite 1700
Honolulu, Hawaii 96813
Telephone No.: (808)744-4688
Facsimile No.: (888)777-5405
E-mail: emily@kawashimalaw.com

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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)

**SECOND SUPPLEMENT TO PROBATE
SPECIAL MASTER'S REPORT RE:
PETITION FOR INSTRUCTIONS #2,
FILED ON JANUARY 19, 2024;
CERTIFICATE OF SERVICE**

Hearing:

Date: April 5, 2024

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**SECOND SUPPLEMENT TO PROBATE SPECIAL MASTER'S REPORT
RE: PETITION FOR INSTRUCTIONS #2, FILED ON JANUARY 19, 2024**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate
Special Master to examine the Petition for Instructions #2, filed January 19, 2024 (the
"Petition"), and respectfully submits this Second Supplement to Master's Report, filed March
14, 2024.

L. **AMY CHARLOTTE KAELEHIWA AKAO**

Your Master reviewed the facts contained in Petition #2 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to **ERNEST AKAO**.

Your Master spoke with Lehi Brown on March 13, 2024. He is the named family representative for the deceased Class Member. He shared that Amy Akao and Ernest Akao were married but estranged for several years and lived on different islands. Mr. Brown mentioned they may have been divorced. Your Master searched the JEFS court records and could not locate any divorce proceedings under either name. Mr. Brown is the decedent's son from a prior relationship and voiced disappointment that Mr. Akao's children from a prior relationship would be receiving the settlement funds. Your Master explained that we are bound by the intestacy laws and asked if he had any knowledge of his mother having a Will. He said he could not locate one.

On or about March 21, 2024, the decedent's son, Nephi Pomaikai Brown, emailed your Master and provided a copy of the decedent's Last Will and Testament. Mr. Brown said that his brother, Lehi Brown, was unaware that the decedent gave Nephi the Will. The Will appears to be validly executed and at Paragraph Ten, names her two children as the devisees of the residue of the estate.

On the basis of the foregoing, your Master changes her original findings and recommendations and now finds and recommends that this deceased class member's share of the *Kalima* settlement proceeds should be disbursed in equal shares to her two children, **LEHI WILFRED KEKOOLANI BROWN and NEPHI POMAIKAI BROWN**.

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DATED: Honolulu, Hawaii, on March 25, 2024.

/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 person(s) immediately after filing.

JENNIFER L. AHIA
c/o David B.M. Ka`apu, Esq.
75-5751 Kuakini Hwy., Suite 201
Kailua-Kona, Hawaii 96740

JOHNETTE "PAKE" WONG
41-616 Poalima Street
Waiamanalo, Hawaii 96795

ERNESTINE AKAHI
205 Naniloa Drive
Wailuku, Hawaii 96793

SAMUEL K. AHIA
87-3596 Mamalahoa Highway
Captain Cook, Hawaii 96704

JEFFREY HEWAHEWA AIONA
1543 Dublin Lane
Escondido, California 92027

LLOYDE AKAHI
3851 Wynn Road, Apt. 1091
Las Vegas, Nevada 89103

ALFRED A.D. AHIA
303 Iwalani Street
Hilo, Hawaii 96720

ABRAHAM KAMAUNU AIONA
41-056 Hinalea Street
Waimanalo, Hawaii 96795

JASON AKAHI
33 Maluhia Drive, Apt. B
Wailuku, Hawaii 96793

ROBERT K. AHIA
P.O. Box 11
Papaikou, Hawaii 96781

MYRNA N. AIONA
16 Paipai Street
Hilo, Hawaii 96720

HAROLD “BUNNY” AHUNA, JR.
41-483 Kalanianaʻole Highway
Waimanalo, Hawaii 96795

NICHOLAS K. AKANA
99-440 Pawa Way
Mililani, Hawaii 96789

DEYVIN-MICOLE K. AIONA
16 Paipai Street
Hilo, Hawaii 96720

WAYNE “WINGUS” AHUNA
41-483 Kalanianaʻole Highway
Waimanalo, Hawaii 96795

GEORGE AKANA III
91-220 Oahehe Way
Kapolei, Hawaii 96707

BEVERLY M. AIPIA
P.O. Box 417
Kamuela, Hawaii 96743

VERLA MOORE
55-545 Naniiloa Loop
Laie, Hawaii 96762

NEPHI P. BROWN
P.O. Box 383438
Waikoloa, Hawaii 96738

LEHI WILFRED K. BROWN
459 East Kahaopea Street
Hilo, Hawaii 96720

DONNA LEILANI AKAU
530 Olomana Street
Kailua, Hawaii 96734

HEATHER K. MINTON
16538 Beach Drive NE
Lake Forest Park, WA 98155

DEYSON QUINTIN K. AIONA
107 Ohuohu Street
Hilo, Hawaii 96720

MARK “MARKO” AHUNA
41-483 Kalanianaʻole Highway
Waimanalo, Hawaii 96795

KEVIN M. AKANA
209 Hao Street
Honolulu, Hawaii 96821

DEYSHA-RAE N. AIONA
1823 Kalani Street, Apt. 4
Honolulu, Hawaii 96819

RENI YANO
41-172 Poliala Street
Waimanalo, Hawaii 96795

KOA AKANA
688 Kinoole Street, Suite 112
Hilo, Hawaii 96720

DONALD K. AIPIA
85-339 Kohai Place
Waianae, Hawaii 96792

WYNELLE U. PLACE
P.O. Box 1805
Kaunakakai, Hawaii 96748

IPOLANI WRIGHT
HC 2 Box 6856
Keeau, Hawaii 96749

LEANNE AKEN
86-263 Hokuaea Place
Waianae, Hawaii 96792

NOHEALANI TUCKER
84-754 Ala Mahiku Street, Unit 51A
Waianae, Hawaii 96792

BLOSSOM M. AWEAU
P.O. Box 5451
Kaneohe, Hawaii 96744

APITAI AKAU, JR.
862 Haihai Street
Hilo, Hawaii 96720

HOLLY AKAO
85-134 Maiuu Road
Waianae, Hawaii 96792

JEFFREY AWEAU
2817 Koea Place
Makawao, Hawaii 96768

CHARMAINE CHINEN
HC 2 Box 6465
Keeau, Hawaii 96749

JILL PUANANI RODRIGUES
87-126 Laanui Street
Waianae, Hawaii 96792

LAURIE NII
84-1054 A Farrington Hwy.
Waianae, Hawaii 96792

GORDON K. AKEN, JR.
86-263 Hokuaea Place
Waianae, Hawaii 96792

DANETTE KAAHANUI
91-1037 Koanimakani Street
Kapolei, Hawaii 96792

PAMELA SAKUMA
91-1028 Kahiuka Street
Ewa Beach, Hawaii 96706

LENETTE IWALANI MAKAHILAHILA
750 Ululani Street
Kailua, Hawaii 96734

ANELALANI AKAO
85-134 Maiuu Road
Waianae, Hawaii 96792

BETH L. AWEAU
91-1036 Ualakupu Street
Kapolei, Hawaii 96709

BRADLEY AKAU
HC 2 Box 6464
Keeau, Hawaii 96749

RAMONA AKAU
87-126 Laanui Street
Waianae, Hawaii 96792

SCOTT AWEAU
91-1036 Ualakupu Street
Kapolei, Hawaii 96707

HELEN L. AKEN
86-263 Hokuaea Place
Waianae, Hawaii 96792

DANIEL B. AKAU
5313 Ulumalu Street
Kailua, Hawaii 96734

KEITH S. AWEAU
1427 Ehupua Street
Honolulu, Hawaii 96821

REED AKEN
86-263 Hokuaea Place
Waianae, Hawaii 96792

ELAINE M.P. AKAU
530 Olomana Street
Kailua, Hawaii 96734

CHAD AKEN
86-263 Hokuaea Place
Waianae, Hawaii 96792

WYMAN AWEAU
321 Deptford Road
Glassboro, New Jersey 08028

ALEXANDER L. AKAU
530 Olomana Street
Kailua, Hawaii 96734

JOCELYN AKEN
86-263 Hokuaea Place
Waianae, Hawaii 96792

PUUONEOMAKAPUU N. JOHNSON
41-890 Kalaniana'ole Hwy.
Waimanalo, Hawaii 96795

KAPIOLANI N. AWO
5666 Carolyn Drive
North Ridgeville, Ohio 44039

KALAPANA K. GARRETT
1336 S. Washington Street
Kennewick, Washington 99337

GEORGE K. AWO
45-077 Waikalua Road #D
Kaneohe, Hawaii 96744

JONAH JOE POAIPUNI JR.,
c/o Na`unanikina`u A. Kamali`i, Esq.
212 Merchant Street, Suite 330
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, March 25, 2024.

/s/ Emily H. Kawashima

EMILY H. KAWASHIMA
Probate Special Master