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ATTORNEYS FOR STATE DEFENDANTS

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAI'I

LEONA KALIMA, DIANE BONER,  
RAYNETTE NALANI AH CHONG,  
special administrator of the estate of JOSEPH  
CHING, deceased, CAROLINE BRIGHT,  
DONNA KUEHU, and JAMES  
AKIONA, et al.,

Plaintiffs,

vs.

STATE OF HAWAI'I, STATE OF HAWAI'I  
DEPARTMENT OF HAWAIIAN HOME  
LANDS; et al.,

Defendants.

CIVIL NO. 99-4771-12 LWC  
(Class Action)  
**STIPULATION TO AMEND TIMETABLE  
OF EVENTS CONTAINED IN EXHIBIT 9  
TO DECEMBER 5, 2022, ORDER  
ADOPTING FINDINGS AND  
RECOMMENDATIONS OF THE  
SPECIAL MASTER TO AMEND THE  
SCHEDULE FOR FINAL APPROVAL  
HEARING [FILED NOVEMBER 22,  
2022][DKT. 1568] AND ORDER;  
EXHIBITS 1 & 2**  
POST-TRIAL PROCEEDINGS JUDGE:  
HON. LISA W. CATALDO  
SETTLEMENT JUDGE: HON. GARY W.B.  
CHANG

**STIPULATION TO AMEND TIMETABLE OF EVENTS CONTAINED IN EXHIBIT 9 TO  
DECEMBER 5, 2022, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS OF  
THE SPECIAL MASTER TO AMEND THE SCHEDULE FOR FINAL APPROVAL  
HEARING [FILED NOVEMBER 22, 2022][DKT. 1568] AND ORDER**

Pursuant to Cir. Ct. R. 19, Plaintiffs, through their Counsel, Carl M. Varady and Thomas R. Grande, and Defendants, through their Counsel, Attorney General Anne E. Lopez, Deputy Attorney General Craig Y. Iha, and Special Deputy Attorneys General Linda Lee K. Farm and Donna H. Kalama, hereby stipulate:

WHEREAS, the parties have entered into a settlement intended to achieve a full and final resolution on a class-wide basis of all claims that have been asserted and could have been asserted in this matter (the “Settlement”) and have executed a Settlement Agreement to effectuate those terms (the “Agreement”);

WHEREAS, on December 5, 2022, the Court entered its *Order Adopting Findings And Recommendations Of The Special Master To Amend The Schedule For Final Approval Hearing [Filed November 22, 2022]*(the “Scheduling Order”)[Dkt. 1568];

WHEREAS, the Scheduling Order includes a timetable for mailed notice to the Plaintiff Class (Exhibit 1)(the “Current Timetable”);

WHEREAS, the time required to obtain complete and accurate data regarding class members’ lease application and award dates has been extended, is complex, and the time necessary to complete the review of the more than 4,000 claims presented in this case has been substantial;

WHEREAS, on November 30, 2022, the principal file review for Class Members was completed, and data transmitted to the Claims Administrator for integration into its existing

Class Member database;

WHEREAS, the Claims Administrator has characterized the data integration process as one of the “most complex” it has ever had to complete;

WHEREAS, other than for the Class Members who settled or opted out, the data integration process for claims is not yet complete due to the complexity of the data;

WHEREAS, on January 13 and again on January 19, 2023, the Claims Administrator disclosed it is unable to complete the data integration process for the Class Members who have not settled or opted out;

WHEREAS, the Current Timetable approved in the Court’s December 5, 2022, Scheduling Order [Filed November 22, 2022][Dkt. 1568] required the Second Notice to be mailed the week of January 16, 2023;

WHEREAS, the Claims Administrator has represented that it has completed the mailing of the Second Notice to the Class Members who have settled or opted out during the week of January 16, 2023;

WHEREAS, the Claims Administrator cannot complete the mailing of the Second Notice to the Class Members who have not settled or opted out under the Current Timetable set in the Scheduling Order;

WHEREAS, the Claims Administrator requested a two-week delay from the week of January 16, 2023, to January 31, 2023, to mail the Second Notice to the Class Members who have not settled or opted out;

WHEREAS, to preserve the 60-day review and opt out period for Class Members to receive, review and correct their claim data, or opt out, after the Second Notice is mailed, the Claims Administrator has been directed by the Special Master to extend the period for such

review, correction, and opting out from March 17, until and including April 3, 2023, and to accept corrections and opt outs post-marked up to and including April 3, 2023;

WHEREAS, the Claims Administrator has confirmed the proposed extension will not affect the currently-scheduled mailing of the Third Notice the week of June 6, 2023, or the date for the Final Approval Hearing, July 21, 2023;

WHEREAS, the publication and mailed notices contained it Exhibits 2-5 approved by the Court in its *Order Adopting First Amended Findings and Recommendations of the Special Master to Approve Proposed Settlement Distribution Plan and Revised Class Notices (Filed December 22, 2022); Revised Exhibits 1-6 [Dkt. 1580][Filed January 5, 2023][Dkt. 1589]*, will be revised to include the new April 3, 2023, deadline to correct data or opt out of the lawsuit, but otherwise remain unchanged;

WHEREAS, this stipulation was submitted to the Special Master for review, comment, and recommendation for approval prior to its submission to the Court, as evidenced by his signature below;

NOW THEREFORE, the parties agree that the Current Timetable will be modified as follows as set forth in Exhibit 2 hereto:

[SIGNATURES ON FOLLOWING PAGE]

DATED: Honolulu, Hawai'i, January 23, 2023.

/s/ Craig Y. Iha  
ANNE E. LOPEZ  
Attorney General  
CRAIG Y. IHA  
Deputy Attorney General and  
LINDA LEE K. FARM  
DONNA H. KALAMA  
Special Deputy Attorneys General  
ATTORNEYS FOR DEFENDANTS

/s/ Carl M. Varady  
CARL M. VARADY  
THOMAS R. GRANDE  
CLASS COUNSEL

REVIEWED AND RECOMMENDED:

/s/ Michael F. Broderick  
SPECIAL MASTER

APPROVED AND SO ORDERED:

/s/ Lisa W. Cataldo



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JUDGE OF THE ABOVE-ENTITLED COURT

***Kalima et al., v. State of Hawai'i et al.*, Civil No. 99-4771-12 LWC, STIPULATION TO AMEND TIMETABLE OF EVENTS CONTAINED IN EXHIBIT 9 TO DECEMBER 5, 2022, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS OF THE SPECIAL MASTER TO AMEND THE SCHEDULE FOR FINAL APPROVAL HEARING [FILED NOVEMBER 22, 2022][DKT. 1568] AND ORDER; EXHIBITS 1 & 2**

**PROPOSED REVISED CLAIMS ADMINISTRATION SCHEDULE**

Tuesday, November 22, 2022

<b>DATE</b>	<b>ACTIVITY</b>
Monday, November 28, 2022	Class Counsel Complete File Review – All Data Integration Excel Files submitted to Epiq
Monday, November 28, 2022	Class Notices to Epiq and Special Master
Wednesday, November 30, 2022	Class Notice to Defendants
Wednesday, December 7, 2022	Submission to Court of distribution plan methods for review and approval and Notices to Court
Thursday, December 15, 2022	Confirmation of application dates; confirmation of lease award dates
Thursday, December 15, 2022	Approval of notices and distribution plan by Court
Monday, January 16, 2023	Mailed Notice #2 to inform class members of application, award, and related dates for claims; 45 days to correct, and opt out process
Friday, March 17, 2023	Deadline to Submit Corrections to Application Dates & Opt Out
Friday, April 7, 2023	3 weeks for Epiq to receive mail sent on deadline AND FOR COUNSEL TO REVIEW AND CORRECT
Friday, April 21, 2023	Deadline for Epiq to compile data
Friday, May 5, 2023	Deadline for Epiq to make final updates and perform initial calculations
Friday, May 19, 2023	Calculation Review
Tuesday, June 6, 2023	Mailed Notice #3
Monday, June 12, 2023	Motion for final approval
Monday, June 26, 2023	Def memorandum re: FA
Thursday, July 6, 2023	Pltf's Reply
Thursday, July 6, 2023	Deadline to Object
Friday, July 14, 2023	Parties' response to objections
Friday, July 21, 2023	Final Approval Hearing

Action	Original Date	New Date
Second Mailed Notice to inform class members of their: application, award, and related dates for settlement payment calculations; prior settlements; prior opt outs	January 16, 2023	<b>January 31, 2023</b>
Deadline for Class Members to correct data or opt out of lawsuit	March 17, 2023	<b>April 3, 2023</b>