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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)

**THIRD SUPPLEMENT TO PROBATE
SPECIAL MASTER'S REPORT RE:
PETITION FOR INSTRUCTIONS #10,
FILED JUNE 14, 2024; EXHIBITS
"10" – "11"; CERTIFICATE OF
SERVICE**

Hearing:

Date: September 27, 2024

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**THIRD SUPPLEMENT TO PROBATE SPECIAL
MASTER'S REPORT RE: PETITION FOR INSTRUCTIONS #10**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate
Special Master to examine the Petition for Instructions #10, filed June 14, 2024 (the
"Petition"), and respectfully submits this Third Supplement to her Report.

(C) **WILLIAM KUKAUA JR.**

Your Master reviewed the Last Will and Testament of the decedent ("the Will"). Exhibit
"C" to Petition #10. The Court requested your Master to research the Will as well as the living

descendants of the decedent. The Will devised real property in Pukalani, Maui to the decedent's nephew, Louis Kanoa Kukaua. The decedent left a life estate to his mother, Hattie Kukaua. She is deceased. In Article Sixth of the Will, the decedent devised the residue of his estate to his mother, and if predeceased then to his brother, Louis Kukaua. On September 27, your Master spoke to Uilani Bautista, daughter of decedent's sister, Patsy N. Ponce. She informed your Master that Louis Kukaua is alive but that the decedent's other sister, Nora Vierra died in 2024. A copy of her obituary is attached as Exhibit "10." She was survived by her six children, as stated in the obituary and confirmed by Ms. Bautista. The decedent's mother predeceased him in 2004. A copy of her obituary is attached as Exhibit "11."

Based on the provisions of the Will, the decedent's residue was to go to his brother, Louis Kukaua. Should the Court follow the terms of the Will, your Master amends her prior findings and recommendations and finds and recommends that the settlement award be distributed to **LOUIS KUKAUA** in its entirety.

Alternatively, should the Court wish to follow the laws of intestacy, the decedent's settlement award should be distributed as follows:

LOUIS KUKAUA – ONE-THIRD – 1/3
PATSY N. PONCE – ONE-THIRD – 1/3
MANUEL K. VIERRA – ONE-EIGHTEENTH - 1/18
HERB VIERRA – ONE-EIGHTEENTH - 1/18
VERNON T. VIERRA – ONE-EIGHTEENTH - 1/18
CHRIS VIERRA – ONE-EIGHTEENTH - 1/18
JOSEPH VIERRA – ONE-EIGHTEENTH - 1/18
WALTER VIERRA – ONE-EIGHTEENTH - 1/18

DATED: Honolulu, Hawai'i, on October 1, 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

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SETTLEMENT TRUST DATED JUNE 23,
2023.

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(Trust Proceeding)

CERTIFICATE OF SERVICE

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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.

LOUIS KANOA KUKAUA
3370 Anuwana Place
Pukalani, Hawaii 96768

PATSY N. PONCE
2226 Lilikoi Road
Haiku, Hawaii 96708

MANUEL K. VIERRA
605 Haawina Street
Paia, Hawaii 96779

HERBERT J. VIERRA
605 Haawina Street
Paia, Hawaii 96779

VERNON T. VIERRA
P.O. Box 790031
Paia, Hawaii 96779

CHRISTOPHER K. VIERRA
183 Kaulana Na Pua Cir.
Wailuku, Hawaii 96763

JOSEPH VIERRA
P.O. Box 790031
Paia, Hawaii 96779

WALTER VIERRA
647 Kalakaua Street
Wailuku, Hawaii 96793

DATED: Honolulu, Hawaii, October 1, 2024.

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