

FIRST CIRCUIT COURT NOTICE

T. No. 1CTR-23-0000142

IN THE MATTER OF THE KALIMA CLASS ACTION SETTLEMENT TRUST  
DATED JUNE 23, 2023

FILED, a Petition by Scott C. Suzuki, Esq., Probate  
Special Counsel, whose address is 1013 Poha Lane, Honolulu, Hawaii  
96826, seeking instructions relating to the administration THE  
KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023, a copy  
of which is available at [www.kalima-lawsuit.com](http://www.kalima-lawsuit.com), specifically  
relating to:

CHARLES KAUHIAIMOKUAKAMA AHLO, Deceased  
EDWARD KEHOA AHUNA, JR., Deceased  
DANDELINE AI, Deceased  
RAVILAND AI, Deceased  
STEVEN AWAI AIPA, Deceased  
LOUIS KALIHILIHUOLAOKALANI AKANA, JR., Deceased  
EARL NATHAN BELL, Deceased  
FRANCES KAIPOLEIMANU BRAND, Deceased  
BLANCHE LAUAE CHING, Deceased  
GRACE KA`OLINONANIKAPONO FITZGERALD, Deceased  
CLAYTON KAOAO FORSYTHE, Deceased  
EDWARD WILLIAM FORSYTHE, Deceased  
ORLANDO EUSEBIO GANTE, Deceased  
LAWRENCE EARL JOAO, Deceased  
DAVID KALANI JOSIAH, SR., Deceased  
PATRICIA PUALANI KUKONA, Deceased  
MARY ANN NEULA LIM, Deceased  
JOSEPH WILLIAM PAAKAULA NAKOA, Deceased  
JACOB IAKOBA PUAA, Deceased  
IWALANI LUKE RUDDLE, Deceased  
RUBY LEIMOMI WILHELM, Deceased  
NANCY PUNOHU ZALOPANY, Deceased

The date, time and place for hearing said Petition shall  
be Friday, MAR 15 2024, at 10:00 a.m. in the

courtroom of the Judge of the above-entitled Court who shall be sitting in probate, in Ka'ahumanu Hale, 777 Punchbowl Street, Honolulu, Hawaii 96813.

The outcome of this hearing may determine how the above-named Decedents' proceeds of the judgment in Kalima et al. v. Hawaii, Civil No. 99-4771-12 LWC, filed in the Circuit Court of the First Circuit, State of Hawaii, will be distributed. Parties interested in this Petition have the right to be represented by a private attorney, at said parties' own expense.

DATED: Honolulu, Hawaii, JAN 26 2024.

J. HIGASHIONNA

Clerk of the Above-Entitled Court

SCOTT C. SUZUKI  
Probate Special Counsel  
(808) 983-3850

**SCOTT C. SUZUKI, ATTORNEY AT LAW**

SCOTT C. SUZUKI #8181  
NICOLE C. EDWARDS-MASUDA #10287  
1013 Poha Lane  
Honolulu, Hawaii 96826  
Telephone: (808) 983-3850  
Facsimile: (808) 983-3851

Probate Special Counsel

**Electronically Filed  
FIRST CIRCUIT  
1CTR-23-0000142  
26-JAN-2024  
12:13 PM  
Dkt. 33 OSTPH**

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)

ORDER SETTING DATE, TIME AND  
PLACE OF HEARING ON PETITION FOR  
INSTRUCTIONS #1

HEARING:

DATE: MAR 15 2024

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.  
Castagnetti

ORDER SETTING DATE, TIME AND PLACE  
OF HEARING ON PETITION FOR INSTRUCTIONS #1

The PETITION FOR INSTRUCTIONS #1 having been filed on  
January 2, 2024, and good cause appearing therefor,

IT IS HEREBY ORDERED THAT the date, time and place for  
hearing said Petition shall be Friday,

MAR 15 2024, at 10:00 a.m. in the courtroom  
of the Judge of the above-entitled Court who shall be sitting in

RECEIVED  
Estate & Probate Branch  
JAN 03 2024

probate, in Ka`ahumanu Hale, 777 Punchbowl Street, Honolulu, Hawaii 96813.

That Petitioner give notice of the hearing by email, via the website www.kalima-lawsuit.com, or as otherwise prescribed by H.R.S. § 560:1-401 to the persons enumerated in H.R.S. § 560:3-403 and upon payment by the demandant of the cost of reproducing copies, to any additional person who has filed a demand for notice under H.R.S. §560:3-204; and

That pursuant to Rule 10(c) of the Hawaii Probate Rules, any party wishing to object or respond to the petition shall file such objection or response with the Court or serve it on all interested persons within 30 days of service of the Petition and this Order or on the date of the scheduled hearing, whichever occurs earlier.

DATED: Honolulu, Hawaii, January 26, 2024

/s/ S. Adams



Clerk of the Above-Entitled Court

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T. No. 1CTR-23-0000142; IN THE MATTER OF THE KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023; ORDER SETTING DATE, TIME AND PLACE OF HEARING ON PETITION FOR INSTRUCTIONS #1.

**SCOTT C. SUZUKI, ATTORNEY AT LAW**

SCOTT C. SUZUKI #8181  
NICOLE C. EDWARDS-MASUDA #10287  
1013 Poha Lane  
Honolulu, Hawaii 96826  
Telephone: (808) 983-3850  
Facsimile: (808) 983-3851

**Electronically Filed**  
**FIRST CIRCUIT**  
**1CTR-23-0000142**  
**23-FEB-2024**  
**10:41 AM**  
**Dkt. 68 PET**

Probate Special Counsel

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. \_\_\_\_\_  
(Trust Proceeding)

PETITION FOR INSTRUCTIONS #1;  
EXHIBITS "A"-"P"

HEARING:

DATE: \_\_\_\_\_

TIME: 10:00 a.m.

JUDGE: Hon. Jeannette H.  
Castagnetti

PETITION FOR INSTRUCTIONS #1

COMES NOW PETITIONER, SCOTT C. SUZUKI, ESQ., Probate  
Special Counsel in Kalima v. Hawaii, Civil No. 99-4771-12 LWC filed  
in the Circuit Court of the First Circuit, State of Hawaii  
(hereinafter "*Kalima*")<sup>1</sup>, and hereby petitions this Court pursuant  
to H.R.S. §554D-201 and Hawaii Probate Rules 28, 29 and 126, for  
instructions as follows:

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<sup>1</sup> Petitioner was appointed as Probate Special Counsel *Kalima* by that certain  
Joint Order Adopting Settlement Special Master's Findings and Recommendations  
and Appointing Probate Special Counsel filed therein on or about March 24, 2023.

1. Petitioner, SCOTT C. SUZUKI, ESQ., submits this Petition in his capacity as Probate Special Counsel in *Kalima*.

2. The KALIMA CLASS ACTION SETTLEMENT TRUST DATED JUNE 23, 2023 (hereinafter the "Trust") was established by the Circuit Court of the First Circuit, State of Hawaii, pursuant to the FIRST AMENDED JOINT ORDER APPROVING PROBATE PLAN AND QUALIFIED SETTLEMENT TRUST filed in *Kalima* on or about June 23, 2023 (hereinafter the "Joint Order Approving Probate Plan").

3. This Honorable Court has jurisdiction in this matter pursuant to H.R.S. §554D-202.

4. Venue before this Honorable Court is appropriate pursuant to H.R.S. § 554D-204(a), as the principal place of administration is in this Judicial Circuit.

5. A true and correct copy of the Trust is available online at [kalima-lawsuit.com](http://kalima-lawsuit.com).<sup>2</sup>

6. The Trustee of the Trust is SYLVIUS H. VON SAUCKEN, General Manager - Mass Torts, Epiq Class Action & Claims Solutions, Inc. (hereinafter "Trustee"), who submits to the jurisdiction of this Honorable Court. The Trustee's address is 10300 SW Allen Boulevard, Beaverton, Oregon 97055

7. Article 1-2 of the Trust provides as follows:

"The Beneficiaries of the Trust are those parties who have a valid claim and/or interest

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<sup>2</sup> The Trust is also Exhibit "A" of FIRST AMENDED JOINT ORDER APPROVING PROBATE PLAN AND QUALIFIED SETTLEMENT TRUST filed in *Kalima* on or about June 23, 2023.

in the proceeds of the settlement funds derived from the Civil Matter, including parties who are entitled to the estates of deceased Class Members".

8. Petitioner has identified multiple class members who are deceased.

9. In fulfilment of Petitioner's duties established under the Joint Order Approving Probate Plan, Petitioner will be bringing multiple petitions in this matter to identify the parties who are legally entitled to receive deceased claimants' shares of the *Kalima* settlement funds. This Petition seeks to identify certain parties who are Beneficiaries of this Trust, and to calculate their respective beneficial interests.

10. The following deceased class members' shares of the *Kalima* settlement proceeds should be identified and disbursed as follows:

(A) **CHARLES KAUHIAIMOKUAKAMA AHLO**  
(Date of Death: November 17, 2007)  
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(verified by Certificate of Death)

(2) **CHILDREN:**

**VICKI E. ULSH**  
48-477 Kamehameha Highway #E  
Kaneohe, Hawaii 96744

**ELDRED AHLO**  
3250 Pinao Street

Honolulu, Hawaii 96822

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed in equal proportions to the deceased class member's intestate heirs, **VICKI E. ULSH** and **ELDRED AHLO**.

- (B) **EDWARD KEHOA AHUNA, JR.**  
(Date of Death: July 4, 2021)  
(Place of Death: Kealahakua, Hawaii)

- (1) **SURVIVING SPOUSE:** NONE

(verified by Certificate of Death)

- (2) **CHILDREN:**

**EDIE LORRIE K. CAMERO**  
P.O. Box 5804  
Hilo, Hawaii 96720

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the deceased



class member's sole intestate heir, **EDIE LORRIE K. CAMERO.**

- (C) **DANDELINE AI**  
(Date of Death: May 3, 2010)  
(Place of Death: Hilo, Hawaii)

(1) **SURVIVING SPOUSE:** NONE

(verified by Certificate of Death)

(2) **CHILDREN:**

**DARIANNE ALAKAI PIAGENTINI-GODOY**  
604 Keonaona Street  
Hilo, Hawaii 96720

(3) **OTHER INTESTATE HEIRS:** NONE

(4) **PROBATE PROCEEDINGS:** NONE

(5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the deceased class member's sole intestate heir, **DARIANNE ALAKAI PIAGENTINI-GODOY.**

- (D) **RAVILAND AI**  
(Date of Death: December 11, 2012)  
(Place of Death: Wahiawa, Hawaii)

(1) **SURVIVING SPOUSE:**

**KYONG JA AI aka JOY AI**  
277 California Avenue #1

Wahiawa, Hawaii 96786

- (2) **CHILDREN:** NONE
- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:** NONE

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the deceased class member's sole intestate heir, **KYONG JA AI aka JOY AI.**

- (E) **STEVEN AWAI AIPA**  
(Date of Death: October 12, 1996)  
(Place of Death: Waianae, Hawaii)

- (1) **SURVIVING SPOUSE:**

**WILHELMINA L. AKINA** (formerly known as **WILHELMINA L. AIPA**)  
353 Olu Street  
Hilo, Hawaii 96720

- (2) **CHILDREN:**

**WALTER K. AIPA**  
86-299 Hokuakea Place  
Waianae, Hawaii 96792

**PAULA-JEAN L. YOUNG**  
86-299 Hokuakea Place  
Waianae, Hawaii 96792

**EDWARD S.B.K. AIPA** (Post-Deceased)  
(Date of Death: November 12, 2013)

(verified by an obituary for EDWARD S.B.K. AIPA published online through the Honolulu Star-Advertiser)

**PAUL C. DAY**

86-299 Hokukea Place  
Waianae, Hawaii 96792

**JACOB L. MAGARRO**

86-195 Moeha Street  
Waianae, Hawaii 96792

**RYAN KALAAU**

86-299 Hokukea Place  
Waianae, Hawaii 96792

**(3) OTHER INTESTATE HEIRS:**

**E [REDACTED] A [REDACTED]** (Descendant of EDWARD S.B.K. AIPA)  
87-198 Kaukamana Road, Unit B  
Waianae, Hawaii 96792

**M [REDACTED] A [REDACTED]** (Descendant of EDWARD S.B.K. AIPA)  
87-198 Kaukamana Road, Unit B  
Waianae, Hawaii 96792

**(4) PROBATE PROCEEDINGS: NONE**

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

The value of the deceased class member's claim, as can be verified by the Probate Special Master, is within the range to which a surviving spouse would be entitled to inherit pursuant to H.R.S. § 560:2-102. Therefore, Petitioner believes that the deceased class member's settlement proceeds should be distributed to the surviving spouse, **WILHELMINA L. AKINA (formerly known as WILHELMINA L. AIPA)**.

(F) **LOUIS KALIHILIHUULAOKALANI AKANA, JR.**  
**(Date of Death: April 12, 2019)**  
**(Place of Death: Aiea, Hawaii)**

**(1) SURVIVING SPOUSE:**

**ANNTOINETTE K. AKANA**  
86-355 Kauaopuu Street  
Waianae, Hawaii 96792

**(2) CHILDREN:**

**FRANK K. COSTA**  
86-355 Kauaopuu Street  
Waianae, Hawaii 96792

**LOUIS K. AKANA III**  
91-1018 Haulele Street  
Kapolei, Hawaii 96707

**LAWRENCE K. AKANA**  
86-355 Kauaopuu Street  
Waianae, Hawaii 96792

**LORI K. YOMES**  
85-554 Momona Place  
Waianae, Hawaii 96792

**(3) OTHER INTESTATE HEIRS: NONE**

**(4) PROBATE PROCEEDINGS: NONE**

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

The value of the deceased class member's claim, as can be verified by the Probate Special Master, is within the range to which a surviving spouse would be entitled to inherit pursuant to H.R.S. § 560:2-102. Therefore,

Petitioner believes that the deceased class member's settlement proceeds should be distributed to the surviving spouse, **ANNTINETTE K. AKANA**.

(G) **EARL NATHAN BELL**  
(Date of Death: April 13, 2017)  
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

(2) **CHILDREN: NONE**

(3) **OTHER INTESTATE HEIRS:**

**GENESIS K. BELL** (Brother)  
64-1041 Kamanawa Street  
Kamuela, Hawaii 96743

(4) **PROBATE PROCEEDINGS:**

Pursuant to Article 1-5.1(B)(2) of the Trust, "If the Estate of the deceased Class Member has previously been subject to a probate proceeding, the Trustee shall distribute the share of such deceased Class Member to the heirs/devisees in the proportions as adjudicated in such deceased Class Member's probate proceeding". This Estate was the subject of probate proceedings filed in P. No. 3LP18-1-00015 in the Circuit Court of the Third Circuit, State of Hawaii. This probate has been closed.

The Estate was distributed to the sole devisee of the Deceased Class Member's Last Will admitted to probate. The sole devisee is **GENESIS BELL**. True and correct copies of the Deceased class Member's Last Will and Testament admitted to probate and the Final Receipt filed in the probate matter are collectively attached hereto as **Exhibit "A"**.

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the adjudicated devisee under the Last Will, **GENESIS K. BELL**.

**(H) FRANCES KAIPOLEIMANU BRAND**  
**(Date of Death: March 14, 2017)**  
**(Place of Death: Kamuela, Hawaii)**

**(1) SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

**(2) CHILDREN:**

**BARBARA MIKIALA BRAND**  
P.O. Box 2990  
Kamuela, Hawaii 96743

**KRAUTH O. BRAND**  
P.O. Box 1285

Pt. Reyes, California 94956

**MARJORIE S. WHITE**

133-A Boyd Lane  
Honolulu, Hawaii 96813

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

Decedent left a Last Will, but it has not been admitted to probate. Decedent's Last Will is attached hereto as **Exhibit "B"**. Said Last Will leaves the Decedent's estate to her children, which is the same result as intestate succession.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed in equal proportions to **BARBARA MIKIALA BRAND, KRAUTH O. BRAND,** and **MARJORIE S. WHITE.**

(I) **BLANCHE LAUAE CHING**

(Date of Death: September 27, 2021)

(Place of Death: Waianae, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

(2) **CHILDREN:**

**RAYMOND K. CHING**

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS:**

**RAYMOND KAIPO CHING, Personal Representative**  
c/o Matsumoto Law Group LLC  
Pacific Guardian Center, Makai Tower  
733 Bishop Street, Suite 2357  
Honolulu, Hawaii 96813

**RAYMOND KAIPO CHING** was appointed Personal Representative in P. No. 1CLP-21-0000848 on or about February 9, 2022, in the Circuit Court of the First Circuit, State of Hawaii. True and correct copies of the Order Granting Petition for Probate of Will and Appointment of Personal Representative and Letters Testamentary, both filed on or about February 9, 2022, are collectively attached hereto as **Exhibit "C"**.

(5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to **RAYMOND KAIPO CHING**, Personal Representative of the Estate of Blanche



Lauae Ching, also known as Balance L. Mahoney, and  
Blanche Lauae Mahoney Ching, Deceased.

(J) **GRACE KA`OLINONANIKAPONO FITZGERALD**  
(Date of Death: October 11, 2005)  
(Place of Death: Kapaa, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

(2) **CHILDREN:**

**FLOYD JEFFERSON PIPIKANE FITZGERALD**  
P.O. Box 510023  
Kealia, Hawaii 96751

**DEBBIE LEILANI TOCHE aka DEBBIE L. FITZGERALD-TROCHE**  
P.O. Box 510091  
Kealia, Hawaii 96751

**WILLIAM K. FITZGERALD**  
3039 Field Street  
Longview, Washington 98632

**GRACEELLEN K. CARVEIRO**  
P.O. Box 678  
Lawai, Hawaii 96765

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS:**

FLOYD J.P. FITZGERALD was appointed Personal  
Representative in P. No. 5LP10-1-000067. This probate  
was closed and final distributions were made to the sole  
devisee under the terms of the will, **FLOYD JEFFERSON**

**PIPIKANE FITZGERALD.** True and correct copies of the Last Will and Testament admitted to probate (personal information redacted), the Order Granting Ex Parte Petition for Approval of Final Accounts and Distribution and Complete Settlement of Estate, and Final Receipt filed in the probate matter are collectively attached hereto as **Exhibit "D"**.

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the sole devisee, **FLOYD JEFFERSON PIPIKANE FITZGERALD.**

**(K) CLAYTON KAOAO FORSYTHE**  
**(Date of Death: May 30, 2018)**  
**(Place of Death: Provo, Utah)**

**(1) SURVIVING SPOUSE:**

**KRISTINE HAWKINS FORSYTHE**  
55-518 Iosepa Street  
Laie, Hawaii 96762

**(2) CHILDREN:**

**DALTON K. FORSYTHE**  
633 S 180 E  
Smithfield, Utah 84335

**DILLON KEIKEPONO FORSYTHE**  
1800 N 500 E

Provo, Utah 94606

**DAVID KEKOAMAICALANI FORSYTHE**  
1800 N 500 E  
Provo, Utah 94606

- (3) **OTHER INTESTATE HEIRS:** NONE
- (4) **PROBATE PROCEEDINGS:** NONE
- (5) **LAST WILL NOT ADMITTED TO PROBATE:**

The deceased class member left a Last Will, but it has not been admitted to probate. Said Last Will has a residuary clause that leaves the estate to the Akama Revocable Trust. **KRISTINE HAWKINS FORSYTHE** is the current acting Trustee of the Akama Trust dated December 18, 2015.

Although Petitioner notes that the deceased class member's last will may not have been fully executed and that it inaccurately identifies the Akama Trust as the "Akama Revocable Trust", Petitioner believes that the document is intended as a will and clearly directs the residuary estate to a trust. Petitioner is unaware of any other trust established by the deceased class member. On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to

**KRISTINE HAWKINS FORSYTHE**, Trustee of the Akama Trust dated December 18, 2015. True and correct copies of Decedent's Last Will (personal information redacted) and the Certification of the Akama Trust dated December 18, 2015 are collectively attached hereto as **Exhibit "E"**.

(L) **EDWARD WILLIAM FORSYTHE**  
(Date of Death: January 11, 2000)  
(Place of Death: Honolulu, Hawaii)

**(1) SURVIVING SPOUSE:**

**RUTH KAUIHOU FORSYTHE** (Post-Deceased)  
(Date of Death: August 10, 2013)

(Death Certificate to be filed under seal herein)

**(2) CHILDREN:**

**CLAYTON KAOAO FORSYTHE** (Post-Deceased - see above)  
(Date of Death: May 30, 2018)

**ROXANNE KEHAULANI FORSYTHE GALEAI**

**RONETTE KAHAKULANI FORSYTHE TAEOLII**

**ROBIN KAWEHILANI FORSYTHE UNGA MAIAVA**

**(3) OTHER INTESTATE HEIRS: NONE**

**(4) PROBATE PROCEEDINGS:**

**RONETE K.F. TAEOLII**, Personal Representative  
c/o Jordon J. Kimura, Esq.  
Five Waterfront Plaza, 4<sup>th</sup> Floor  
500 Ala Moana Blvd.  
Honolulu, Hawaii 96813

**RONETTE K.F. TAEOLII** was appointed successor Personal Representative in P. No. 17-1-0052 on or about August 28, 2023, in the Circuit Court of the First Circuit, State of Hawaii. True and correct copies of the Order Granting Ex Parte Petition to Reopen Probate Proceedings, for Appointment of Successor Personal Representative, and for Issuance of Letters Testamentary and the Letters Testamentary, both filed in the probate matter on August 28, 2023, are collectively attached hereto as **Exhibit "F"**.

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to **RONETTE K. TAEOLII**, Personal Representative of the Estate of Edward William Forsythe, also known as Edward W. Forsythe, Deceased.

**(M) ORLANDO EUSEBIO GANTE**  
**(Date of Death: February 18, 2021)**  
**(Place of Death: Honolulu, Hawaii)**

**(1) SURVIVING SPOUSE:**

**ELSIE S. GANTE**

**(2) CHILDREN:**

**ORLINDA KAWAWA HALL**

**ORLANDO CONCEPCION GANTE**

**ELEANOR ELSIE ENANORIA**

**LEILANI MELE MARIE YAMURA**

**JEREMY KAMEHAMEHA GANTE**

**FARRAH ANN GANTE**

**SHELLAN LIANA GANTE** (Pre-Deceased)  
(Date of Death: July 3, 2010)

(Death Certificate to be filed under seal herein)

**(3) OTHER INTESTATE HEIRS: NONE**

**(4) PROBATE PROCEEDINGS:**

**ELSIE S. GANTE, Personal Representative**  
c/o Scott C. Suzuki, Attorney-At-Law  
1013 Poha Lane  
Honolulu, Hawaii 96826

**ELSIE S. GANTE** was appointed Personal Representative in P. No. 1CLP-21-0000208 on or about April 5, 2021, in the Circuit Court of the First Circuit, State of Hawaii. True and correct copies of the Statement of Intestate Informal Appointment of Personal Representative and the Letters of Administration, both filed in the probate matter on April 5, 2021, are collectively attached hereto as **Exhibit "G"**.

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to **ELSIE S. GANTE**, Personal Representative of the Estate of Orlando Eusebio Gante aka Orlando E. Gante aka Orlando Gante, Deceased.

**(N) LAWRENCE EARL JOAO**  
**(Date of Death: September 11, 1997)**  
**(Place of Death: Kaunakakai, Hawaii)**

**(1) SURVIVING SPOUSE:**

**ROSE LELEO JOAO (Post-Deceased)**  
Date of Death: January 24, 2013

(Death Certificate to be filed under seal herein)

**(2) CHILDREN:**

**FLORENCE N. BUSH**  
P.O. Box 531  
Hoolehua, Hawaii 96729

**PEARL K. SANCHEZ**  
P.O. Box 1096  
Kaunakakai, Hawaii 96748

**GUSSIE M. DUDOIT**  
P.O. Box 531  
Hoolehua, Hawaii 96729

**VANESSA-ANN L. JOAO**

20 Ualapue Place  
Kaunakakai, Hawaii 96748

**JONETTE M. VISE**  
87-399 Kulawae Street  
Waianae, Hawaii 96792

**LAWRENCE E. JOAO, JR.** (Post-Deceased)  
(Date of Death: January 27, 2016)

(Death Certificate to be filed under seal herein)

**RAYNETTE K. SAMUELSON**  
501 2nd Avenue SE  
Watford City, North Dakota 58854

**(3) OTHER INTESTATE HEIRS:**

**ISAAC T. JOAO** (Descendant of LAWRENCE E. JOAO, JR.)  
P.O. Box 285  
Kualapuu, Hawaii 96757

**JESSE C. JOAO** (Descendant of LAWRENCE E. JOAO, JR.)  
5417 Painted Sunrise Drive  
Las Vegas, Nevada 89149

**HANAKEAKUA JOAO FARQUHAR** (Descendant of LAWRENCE E. JOAO, JR.)  
6 Sutton Place #6  
Agawan, Massachusetts 01001

**KALALANIAMAKALII JOAO** (Descendant of LAWRENCE E. JOAO, JR.)  
P.O. Box 2434  
Wailuku, Hawaii 96793

**(4) PROBATE PROCEEDINGS: NONE**

**(5) LAST WILL NOT ADMITTED TO PROBATE:**



Decedent left a Last Will, but it has not been admitted to probate. Decedent's Last Will is attached hereto as Exhibit "H". Pursuant to the Decedent's Last Will and the laws of intestacy, the Decedent's entire estate would be distributed to his surviving spouse, **ROSE L. JOAO**, who is now deceased. The intestate heirs of **ROSE L. JOAO** would be her descendants, who are the same people described above. Petitioner is informed by **JONETTE M. VISE**, daughter of the deceased class member and **ROSE L. JOAO**, that **ROSE L. JOAO** did not leave a will.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be disbursed to the intestate heirs of **ROSE L. JOAO** in the following proportions:

**FLORENCE N. BUSH (daughter): 1/7**

**PEARL K. SANCHEZ (daughter): 1/7**

**GUSSIE M. DUDOIT (daughter): 1/7**

**VANESSA-ANN L. JOAO (daughter): 1/7**

**JONETTE M. VISE (daughter): 1/7**

**RAYNETTE K. SAMUELSON (daughter): 1/7**

**ISAAC T. JOAO (descendant of LAWRENCE E. JOAO, JR.): 1/28**

JESSE C. JOAO (descendant of LAWRENCE E. JOAO, JR.):  
1/28

HANAKEAKUA JOAO FARQUHAR (descendant of LAWRENCE E.  
JOAO, JR.): 1/28

KALALANIAMAKALII JOAO (descendant of LAWRENCE E. JOAO,  
JR.): 1/28

- (0) DAVID KALANI JOSIAH, SR.  
(Date of Death: July 24, 2015)  
(Place of Death: Honolulu, Hawaii)

(1) SURVIVING SPOUSE:

COOKIE K. JOSIAH

(2) CHILDREN:

ABCDE K. JOSIAH

DAVID K. JOSIAH, JR.

(3) OTHER INTESTATE HEIRS: NONE

(4) PROBATE PROCEEDINGS:

COOKIE KAPULANI JOSIAH, Personal Representative  
c/o William E. Paupe, Jr., Esq.  
46-001 Kamehemeha Hwy. #215  
Kaneohe, Hawaii 96744

COOKIE KAPULANI JOSIAH was appointed as Personal Representative in P. No. 1CLP-23-0000604, filed in the Circuit Court of the First Circuit, State of Hawaii on July 28, 2023. True and correct copies of the Statement of Intestate Informal Appointment of Personal

Representative and the Letters of Administration are collectively attached hereto as Exhibit "I".

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **COOKIE KAPULANI JOSIAH**, as Personal Representative of the Estate of David Kalani Josiah. Sr., also known as David K. Josiah, Sr., and David Josiah, Sr.

**(P) PATRICIA PUALANI KUKONA**  
**(Date of Death: December 7, 2021)**  
**(Place of Death: Waipahu, Hawaii)**

**(1) SURVIVING SPOUSE:**

**NORMAN QUINTIN KUKONA**  
94-746 Lumiauau Street CC#1  
Waipahu, Hawaii 96797

**(2) CHILDREN:**

**ULULANI TANYA KE**  
74-549 Kahiohale Loop  
Kailua-Kona, Hawaii 96740

**KAPONOPOMAIKAIOLANI KUKONA**  
91-1362 Kekahili Street  
Kapolei, Hawaii 96707

**KUULEIALOHALANI KUKONA**  
5189 Spencer Street  
Las Vegas, Nevada 89119

**NORMAN KEOLA POHAKU KUKONA (STEP-SON)**  
94-434 Kiilani Street  
Mililani, Hawaii 96789

**CHANELLE KANANI KUKONA-LUCERO (STEP-DAUGHTER)**  
162 Desha Avenue  
Hilo, Hawaii 96720

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

Decedent left a Last Will, but it has not been admitted to probate. Decedent's Last Will is attached hereto as **Exhibit "J"**. The residuary clause of this Last Will leaves the Decedent's residuary estate to surviving spouse, **NORMAN QUINTIN KUKONA**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **NORMAN QUINTIN KUKONA**.

(Q) **MARY ANN NEULA LIM**  
(Date of Death: March 29, 2017)  
(Place of Death: Kapaau, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

**(2) CHILDREN:**

**DONNA M. AMINA**

**NANETTE LIM YAP**

**CHARMAINE DAVIS**

**ELMER KUI SUNG LIM, JR.**

**LORNA LIM**

**JAMES KUI HING LIM** (Post-Deceased)  
(Date of Death: May 12, 1997)

(Death Certificate to be filed under seal herein)

**(3) OTHER INTESTATE HEIRS:**

**KAWENA NOBRIGA** (Descendant of JAMES KUI HING LIM)

**(4) PROBATE PROCEEDINGS:**

**DONNA M. AMINA, Personal Representative**  
c/o Shawn H. Yamada, Esq.  
121 Waiianuenue Avenue  
Hilo, Hawaii 96720

**DONNA M. AMINA**, is the current-acting Personal Representative of the Estate of Mary Ann Neula Lim, also known as Mary A.N. Lim and Mary Lim, in P. No. 17-1-0240 filed in the Circuit Court of the Third Circuit, State of Hawaii. True and correct copies of the Statement of Intestate Informal Renewal of Letters of Administration and the Amended Letters of Administration filed therein

on February 8, 2022 are collectively attached hereto as  
Exhibit "K".

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **DONNA M. AMINA**, Personal Representative of the Estate of Mary Ann Neula Lim, also known as Mary A.N. Lim and Mary Lim.

(R) **JOSEPH WILLIAM PAAKAULA NAKOA**  
(Date of Death: May 30, 2008)  
(Place of Death: Kealahakua, Hawaii)

**(1) SURVIVING SPOUSE:**

**ROSEMARIE NAKOA aka ROSE M. NAKOA**  
1463 Humuwili Place  
Kailua, Hawaii 96734

**(2) CHILDREN:**

**ROSE KA`AIHUE**  
524 Nowela Place  
Kailua, Hawaii 96734

**MONA NOBRIGA**  
P.O. Box 893  
Kamuela, Hawaii 96743

**KANANI NAKOA**  
310 Spring Street  
Boonville, Missouri 65233

**SHONNA NAKOA-ONESS**

P.O. Box 245  
Papaikou, Hawaii 96781

**JOSEPH NAKOA, JR.**

P.O. Box 127  
Keaau, Hawaii 96749

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS:**

**ROSEMARIE NAKOA** was appointed as Personal Representative for the Estate of Joseph W. Nakoa, Jr., also known as Joseph W.P. Nakoa, Joseph William Nakoa, Jr. and Joseph William Pa`akaula Nakoa, Jr., in P. No. 08-1-0224 filed in the Circuit court of the Third Circuit, State of Hawaii. This probate has been closed. **ROSEMARIE NAKOA** was also the sole heir of the Deceased Class member. A true and correct copy of the Letters of Administration is attached hereto as **Exhibit "L"**.

(5) **LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **ROSEMARIE NAKOA aka ROSE M. NAKOA**, as the sole intestate heir of the deceased class member.

(S) **JACOB IAKOBA PUAA**  
(Date of Death: October 7, 2006)  
(Place of Death: Kaunakakai, Hawaii)

**(1) SURVIVING SPOUSE:**

**BETTY K. PUAA**  
P.O. Box 553  
Kaunakakai, Hawaii 96748

**(2) CHILDREN:**

**JATY KEALOHILANI PUAA-SPENCER**

**CHERISSA-LEE K. DESHANNON**  
P.O. Box 553  
Kaunakakai, Hawaii 96748

**MORGAN KAANOHIKALA PUAA**

**KIPPY KENUI PUAA**

**JON DAMON KAUKANI PUAA**

**(3) OTHER INTESTATE HEIRS: NONE**

**(4) PROBATE PROCEEDINGS: NONE**

**(5) LAST WILL NOT ADMITTED TO PROBATE:**

The Decedent left a Last Will dated July 6, 2000. This will was not probated. Said Last Will leaves everything to the Decedent's surviving spouse, **BETTY K. PUAA**. This is consistent with intestate succession as the Decedent's descendants are also the descendants of the surviving spouse. A true and correct copy of the Last Will (personal information redacted) is attached hereto as **Exhibit "M"**.



On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **BETTY K. PUA**.

(T) **IWALANI LUKE RUDDLE**  
(Date of Death: April 14, 2010)  
(Place of Death: Kamuela, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

(2) **CHILDREN:**

**LUKELA DONNE RUDDLE**  
1473 Mona Loop  
Hilo, Hawaii 96720

**FRANCIS KEAWAONE RUDDLE** (Post-Deceased)  
(Date of Death: December 2, 2010)

(Certificate of Death will be filed under seal herein)

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

Decedent left a Last Will, but it has not been admitted to probate. Said Last Will is a pour-over will, and the devisee of said Last Will is the Iwalani Luke Ruddle Revocable Living Trust dated May 6, 1994, as amended.

Pursuant to the Statement of Trust Registration, filed in the Circuit Court of the Third Circuit, State of Hawaii in TR. No. 10-1-003 on or about May 28, 2010, the Trustee of said Trust is **LUKELA DONNE RUDDLE**. True and correct copies of the Decedent's Last Will and the Statement of Trust Registration are collectively attached hereto as **Exhibit "N"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **LUKELA DONNE RUDDLE**, as Trustee of the Iwalani Luke Ruddell Revocable Living Trust dated May 6, 1994, as amended.

(U) **RUBY LEIMOMI WILHELM**  
(Date of Death: March 19, 2003)  
(Place of Death: Honolulu, Hawaii)

(1) **SURVIVING SPOUSE: NONE**  
  
(verified by Certificate of Death)

(2) **CHILDREN:**  
  
**EDWARD D. WILHELM**  
  
**ZACHARY K. KAAI**  
  
**CHERYL A. WILSON**

**MOMILANI J. FERNANDEZ**

**(3) OTHER INTESTATE HEIRS: NONE**

**(4) PROBATE PROCEEDINGS:**

**CHERYL WILSON, Personal Representative**  
c/o Na`unanikina`u A. Kamali`i, Esq.  
212 Merchant Street, Suite 330  
Honolulu, Hawaii 96813

**CHERYL WILSON,** is the duly-acting Personal Representative of the Estate of Ruby Leimomi Wilhem, Deceased, P. No. 07-1-0213 filed in the Circuit Court of the First Circuit, State of Hawaii. True and correct copies of the Order Granting Ex Parte Petition for Renewal of Letters of Administration and the First Amended Letters of Administration filed therein on March 22, 2023 are collectively attached hereto as **Exhibit "O"**.

**(5) LAST WILL NOT ADMITTED TO PROBATE: NONE**

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **CHERYL WILSON**, as the duly-acting Personal Representative of the Estate of Ruby Leimomi Wilhem, Deceased.

(V) **NANCY PUNOHU ZALOPANY**  
(Date of Death: October 31, 2012)  
(Place of Death: Kaneohe, Hawaii)

(1) **SURVIVING SPOUSE: NONE**

(verified by Certificate of Death)

(2) **CHILDREN:**

**SHARON HEALANI ALEXANDER**  
905 Santa Ana SE  
Albuquerque, New Mexico 87123

**ROBERT LOUIS ZALOPANY**  
45-1024 Anoi Road  
Kaneohe, Hawaii 96744

**ANALIA ANN FURMAN**  
45-1027 Anoi Road  
Kaneohe, Hawaii 96744

(3) **OTHER INTESTATE HEIRS: NONE**

(4) **PROBATE PROCEEDINGS: NONE**

(5) **LAST WILL NOT ADMITTED TO PROBATE:**

Decedent left a Last Will, but it has not been admitted to probate. Said Last Will is a pour-over will leaving the residuary estate to the Nancy Punohu Zalopany Self-Trusteed Trust dated September 14, 1995. True and correct copies of the Last Will and Affidavit of Successor Trustee are collectively attached hereto as **Exhibit "P"**.

Successor Trustee are collectively attached hereto as **Exhibit "P"**.

On the basis of the foregoing, Petitioner believes that the deceased class member's share of the *Kalima* settlement proceeds should be distributed to **ANALIA ANN FURMAN**, Trustee of the Nancy Punohu Zalopany Self-Trusteed Trust dated September 14, 1995.

11. Petitioner is seeking instructions from this Honorable Court to make the disbursements as set forth above.

12. Notice of this Petition is concurrently being served on the parties named above and by publication.

13. Pursuant to H.R.S. §§ 554D-301 through 304, service by representation is authorized.

WHEREFORE, Petitioner prays that the Court:

- A. Find that jurisdiction and venue are proper;
- B. Set a date, time and place of hearing on this Petition;
- C. Find that a basis exists for instructions;
- D. Instruct the Trustee to make the distributions set forth hereinabove;

F. Find that, upon filing proof that the distributions have been made, the beneficiaries' interests in this Trust shall be fully satisfied and the Trustee shall have no further responsibility or liability with respect to such beneficiaries;

G. Award reasonable attorneys' fees and Master fees related to the filing of this Petition, as supported by affidavit or declaration; and

H. Grant such other relief as may be appropriate.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;  
SIGNATURE(S) TO FOLLOW]

PETITIONER UNDERSTANDS THAT THIS DOCUMENT IS DEEMED TO INCLUDE AN OATH, AFFIRMATION, OR STATEMENT TO THE EFFECT THAT (1) ITS REPRESENTATIONS ARE TRUE AS FAR AS PETITIONER KNOWS OR IS INFORMED, (2) IT IS NOT BEING PRESENTED FOR AN IMPROPER PURPOSE, SUCH AS TO HARASS OR TO CAUSE UNNECESSARY DELAY OR NEEDLESS INCREASE IN THE COST OF LITIGATION, AND (3) THAT PENALTIES FOR PERJURY MAY FOLLOW DELIBERATE FALSIFICATION.

DATED: Honolulu, Hawaii, January 2, 2024.

/s/ Scott C. Suzuki  
SCOTT C. SUZUKI, ESQ., Probate  
Special Counsel

Hawaii Probate Rule 5(b) Certification

/s/ Scott C. Suzuki  
Scott C. Suzuki

Attorney for Petitioner