

EMILY H. KAWASHIMA, 6498-0
AAL, LLLC

Topa Financial Center
700 Bishop Street, Suite 1700
Honolulu, Hawai'i 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 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 #22, FILED
JULY 3, 2025; EXHIBITS "1" – "4";
CERTIFICATE OF SERVICE**

Hearing:

Date: September 19, 2025

Time: 10:00 a.m.

Judge: Honorable Jeannette H. Castagnetti

**PROBATE SPECIAL MASTER'S
REPORT RE: PETITION FOR INSTRUCTIONS #22**

COMES NOW, EMILY H. KAWASHIMA, ESQ. ("Master"), duly appointed Probate Special Master to examine the Petition for Instructions #22, filed July 3, 2025 (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 September 19, 2025, at 10 a.m., at 777 Punchbowl Street, Honolulu, Hawaii, Fourth Floor or may participate via Zoom. Instructions are included with to 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 #22, filed July 3, 2025, with Exhibits;
- Notice of Hearing published in the Star-Advertiser was published on July 17, 2025 and July 24, 2025;

- 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 #22 in the Honolulu Star-Advertiser on July 17, 2025 and July 24, 2025. 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) MARY NAPUA PEA (also known as MARY NAPUA PEA STANLEY)

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Paul Russell Stanley Sr. There was no will or trust submitted. Your Master spoke to the decedent's

sister, Muncie Pea. She confirmed that her sister did not have a Will or Trust and that the decedent's surviving spouse is the sole heir at law.

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, **PAUL R. STANLEY.**

(B) SONNY K. PELEKAI

Your Master reviewed the facts contained in Petition #22, 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, Carol Pelekai. She confirmed that her father did not have a Will or Trust and that she and her six siblings were the only descendants of the decedent and his spouse. She also confirmed the descendants and surviving spouses of her two deceased siblings.

The decedent was survived by seven descendants. Sonny K. Pelekai, Jr. and Shirley Ann Kalaniopua Nakamura died after the decedent. Both of these descendants were survived by spouses. The surviving spouse of Sonny K. Pelekai, Jr., Doreen Dung-Pelekai, submitted a letter

to your Master, disclaiming her husband's share of the settlement proceeds. Therefore, Sonny K. Pelekai, Jr.'s share of the settlement shall pass to his descendants in equal shares.

The other descendant who died after the decedent, Shirley Ann Kalahiopua Nakamura, was also survived by her spouse, James Nakamura. Although there was a Revocable Trust submitted, there was no Will, thus this descendant's share shall pass to the surviving spouse.

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:

CAROL ANN MAHEALANI PELEKAI – ONE-SEVENTH (1/7)
LOUIE P. PELEKAI – ONE-SEVENTH (1/7)
HENRY W. PELEKAI – ONE-SEVENTH (1/7)
DERRICK K. PELEKAI – ONE-SEVENTH (1/7)
FLORENCE YELINEK – ONE-SEVENTH (1/7)
JAMES K. NAKAMURA – ONE-SEVENTH (1/7)
OWEN K. PELEKAI – ONE-THIRTY-FIFTH (1/35)
SHON K. PELEKAI – ONE-THIRTY-FIFTH (1/35)
SHANNON K. PELEKAI – ONE-THIRTY-FIFTH (1/35)
CLARA K. PANUI – ONE-THIRTY-FIFTH (1/35)
VIOLA K. TEGGE – ONE-THIRTY-FIFTH (1/35)

(C) **ANNIE HILA ROBERTS**

Your Master reviewed the facts contained in Petition #22, 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 made attempts but was unable to contact any family members prior to the filing of this report.

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 K. ROBERTS JR. – ONE-FOURTH (1/4)
ADAM K. ROBERTS – ONE-FOURTH (1/4)
CHERYL ANN K. GOOD – ONE-FOURTH (1/4)
MAXINE K. MERIDETH – ONE-FOURTH (1/4)

(D) DAVID E. ROBINS

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Maileann Battad, also known as Maileann M. Battad-Robins-Kaopuiki. There was no will or trust submitted. Your Master made attempts but was unable to contact any family members prior to the filing of this report.

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, **MAILEANN M. BATTAD-ROBINS-KAOPUIKI.**

(E) ADELINE ANNIE RODRIGUES

Your Master reviewed the facts contained in Petition #22, 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 son, Warren Rodrigues. He confirmed that his mother did not have a Will or Trust and that he and his brother, Walter J. Rodrigues, Jr., now deceased, were 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, Walter J. Rodrigues, Jr., died after the decedent. He left a Will dated January 19, 2023, which has not been admitted to probate but directs the residue of the estate to be devised to Ryan K. Rodrigues. The Will is attached as Exhibit “1” to Petition #22.

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:

WARREN M. RODRIGUES – ONE-HALF (1/2)
RYAN K. RODRIGUES – ONE-HALF (1/2)

(F) CHARLES MAHI KAIMIKAUA

Your Master reviewed the facts contained in Petition #22, 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, Charmaine Kaimikaua. She informed your Master that her father did have a Will and she would send a copy. To date, your Master has not received a copy but will supplement this Report accordingly.

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:

CHARMAINE I. KAIMIKAUA – ONE-THIRD (1/3)
CHARLES M. KAIMIKAUA – ONE-THIRD (1/3)
CHARLANDA N. KAIMIKAUA-FOWLER – ONE-THIRD (1/3)

(G) KAUIKA'OHU ROBERTA HALL

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Jimmie Hall. There was no will or trust submitted. Your Master spoke to the decedent's son, Robert Hall. He confirmed that his mother did not have a Will or Trust and that he and his three brothers were the only descendants of the decedent and their father.

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, **JIMMIE HALL.**

(H) BARBARA KOLUMANU REGO (also known as BARBARA DOO)

Your Master reviewed the facts contained in Petition #22 as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Herbert S. Rego, who died after the decedent. There was no will or trust submitted. Your Master was unable to contact any family members prior to the filing of this report.

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 not exceed that amount. However, the surviving spouse died after the decedent, so his heirs by intestacy shall receive his settlement proceeds.

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:

ELBERTA SOREN – ONE-HALF (1/2)
STACY DENTON – ONE-HALF (1/2)

(I) ROBERT WONG HOOK AHSING

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Sylva Theresa Amona, also known as Sylvia Ahsing who died after the decedent.

Your Master reviewed the Last Will and Testament of Robert W. H. Ahsing, dated September 25, 2002, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Robert W. H. Ahsing Trust, dated September 25, 2002.

The Trust indicates that Anne-Marie W. W. Hooe is the next-acting Trustee. Copies of the Will and the Trust are attached as Exhibit "C" to Petition #22.

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 **ANNE-MARIE W.W. AHSING (formerly ANNE-MARIE W.W. HOOE), Trustee of the Robert W.H. Ahsing Trust dated September 25, 2002**, to be distributed in accordance with the terms of the Trust.

(J) ROSELINE LOKE SALAS

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to David

William Salas. There was no will or trust submitted. Your Master spoke to the decedent's niece and family representative, Karen Kaliiheleua. She confirmed that her Aunt did not have a Will or Trust and that her six children are the only descendants of the decedent and her surviving spouse.

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, **DAVID WILLIAM SALAS.**

(K) ANGELA KALEONANI HITZEMAN

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Kenneth Michael Hitzeman. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Keri Watson. She confirmed that her mother did not have a Will or Trust. She also informed that her father, Kenneth Hitzeman died in 2022, and his death certificate shall be filed under seal upon receipt. She confirmed that he also did not have a will or trust and that she and her two brothers are the only descendants of the decedent and her spouse.

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. Since 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:

KERI K. WATSON – ONE-THIRD (1/3)
BRETT K. HITZEMAN – ONE-THIRD (1/3)
KEVIN M. HITZEMAN – ONE-THIRD (1/3)

(L) **ERLA MOMILANI HILLEN**

Your Master reviewed the facts contained in Petition #22, 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 has been in contact with the decedent's daughter, Paula Follner. She confirmed that her mother did not have a Will or Trust. However, she shared that she and her brother Chadd Hillen are the only descendants of the decedent. The other two named in the Petition are actually half-sisters of Paula and Chadd, and share the same father. The decedent did not legally adopt them and therefore, they are not 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:

PAULA M. HILLEN-FOLLNER – ONE-HALF (1/2)
CHADD M. HILLEN – ONE-HALF (1/2)

(M) JAMES HO'OMAIKA'I KAAUWAI

Your Master reviewed the facts contained in Petition #22, 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 made attempts but was unable to contact any family members prior to the filing of this report.

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:

ERIN K. KAAUWAI – ONE-HALF (1/2)
LARA P. KAAUWAI – ONE-HALF (1/2)

(N) **THERESA NALEIMAMO SUMNER**

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Reed Bradford Sumner. There was no will or trust submitted. Your Master spoke to the decedent's surviving spouse and he confirmed that the decedent did not have a Will or Trust.

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, **REED BRADFORD SUMNER.**

(O) **DAVID HAUPU KAMA SR.**

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Natalie Kamai, also known as Natalie Kama. There was no will or trust submitted. Your Master spoke to Natalie Kama, who confirmed that the decedent did not have a Will or a Trust. She also confirmed that she and the decedent are the parents of all eleven of their 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, **NATALIE KAMA.**

(P) BLOSSOM E.K. NAWELI

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to George Naweli. There was no will or trust submitted. Your Master spoke to the decedent's daughter, Novaleen K. R. Naweli. She confirmed that her mother did not have a Will or Trust and that her father is the only heir 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, **GEORGE K. NAWELI.**

(Q) CECILIA L. NAPIHAA

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Peter K. K. Napihaa, Sr., who died after the decedent. There was no will or trust submitted. Your Master made attempts but was unable to contact any family members prior to the filing of this report.

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. Here, since the surviving spouse died after the decedent, his estate controls and the settlement goes to his 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:

KEVIN LEWIS K. NAPIHAA – ONE-SIXTH (1/6)
PETER K.K. NAPIHAA JR – ONE-SIXTH (1/6)
JAMES K. NAPIHAA – ONE-SIXTH (1/6)
MICHAEL NAPIHAA – ONE-SIXTH (1/6)
NATHAN K. NAPIHAA – ONE-SIXTH (1/6)
JEANNIEMARIE POGI – ONE-SIXTH (1/6)

(R) JUNE KAAHUMANU SPALDING NAMAHOE

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Widowed, however a divorce decree was submitted and is attached as Exhibit "1." Your Master spoke to the decedent's daughter, Sherylynne M. Namahoe. She 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.

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:

IMAIKALANI NAMAHOE JR. – ONE FOURTH (1/4)
BENNET NAMAHOE – ONE FOURTH (1/4)
DWAYNE K. NAMAHOE – ONE FOURTH (1/4)
SHERYLYNE M. NAMAHOE – ONE FOURTH (1/4)

(S) PATRICIA KAAILANI MCBRAYER

Your Master reviewed the facts contained in Petition #22, 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 made attempts but was unable to contact any family members prior to the filing of this report.

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:

MICHAEL KELSO – ONE FIFTH (1/5)
TERRANCE KELSO – ONE FIFTH (1/5)
JAMES MCBRAYER – ONE FIFTH (1/5)
TIMOTHY MCBRAYER – ONE FIFTH (1/5)
SCOTT MCBRAYER – ONE FIFTH (1/5)

(T) ELAINE ULULANI MATTSON

Your Master reviewed the facts contained in Petition #22, 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, Ululani. She confirmed that her mother did not have a Will or Trust. However, she provided additional information regarding her siblings. Her parents originally had nine children. One brother died at childbirth. Two other brothers predeceased the decedent: Renard R. H. N. Mattson died on or about April 19, 2005. See Exhibit "2." He did not have any descendants, so his share of the settlement shall be distributed to his surviving siblings. Joseph B. Mattson, Jr. died on or about January 23, 2016, and he was survived by three descendants, Joseph Bernard Mattson, III, who predeceased his father and left no descendants (See Exhibit "3"), Naomi Silva and Lehuanani Curley.

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:

ULULANI L. MATTSON – ONE SEVENTH (1/7)
NORMA MATTSON-LIU – ONE SEVENTH (1/7)
RUSSELL K. MATTSON – ONE SEVENTH (1/7)
DAVID M. MATTSON – ONE SEVENTH (1/7)
LANCE K. MATTSON – ONE SEVENTH (1/7)
CHARLES K. MATTSON – ONE SEVENTH (1/7)
NAOMI SILVA – ONE-FOURTEENTH (1/14)
9925 W Russell Road #1024
Las Vegas, Nevada 89148
LEHUANANI CURLEY - ONE-FOURTEENTH (1/14)
914 N Williamson Avenue
Winslow, Arizona 86047

(U) CRAIG STEVEN NOE

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's obituary states the decedent was survived by his wife, Lani Ann. There was no will or trust submitted.

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, **LANI L. KAUAOUE.**

(V) CHANG YEE KAUI

Your Master reviewed the facts contained in Petition #22, 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, Sharon Kauai. She confirmed that her father did not have a Will or Trust and that she and her two sisters 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:

SHELLY L. KAUI – ONE-THIRD (1/3)
SHARON L. KAUI – ONE-THIRD (1/3)
BESSIE P. CARVEIRO – ONE-THIRD (1/3)

(W) SAMSON KUKIHA KEPA JR.

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Loretta

Castillo, also known as Loretta Kepa, who died after the decedent. There was no will or trust submitted.

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. Here, since the surviving spouse died after the decedent, her estate controls and her descendants take the settlement in equal shares.

Your Master spoke to the decedent's daughter, Linda Kepa. She confirmed that her father and mother did not have a Will or Trust, however they originally had seven children. Of those seven, two are now deceased. Leonard Kepa died before his father and mother, and may have been survived by a daughter. His death certificate shall be filed under seal. Linda said she will update your Master with additional information prior to the hearing.

Shawn Kepa died right after his father and mother on July 24, 2019, and did not have any heirs. See Exhibit "4." Finally, she informed that the decedent and his spouse legally adopted Joshua Kepa, and Kuulehua Kepa.

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:

SAMSON K. KEP A III – ONE-EIGHTH (1/8)
LINDA L. KEP A – ONE-EIGHTH (1/8)
LISA N. KEP A – ONE-EIGHTH (1/8)
DONNA K KIMI– ONE-EIGHTH (1/8)
LUCY K. KEP A– ONE-EIGHTH (1/8)

JOSHUA KEPA – ONE-EIGHTH (1/8)
KUULEHUA KEPA - ONE-EIGHTH (1/8)
Leonard’s descendant - ONE-EIGHTH (1/8)

(X) HELENE KAHINUPAWAOKALANI MATTOS

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent’s death certificate lists marital status as Married to Gordon Joseph Mattos, who died after the decedent. There was no will or trust submitted for 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. Here, since the surviving spouse died after the decedent, his estate controls. The decedent’s surviving spouse left a Will and a Trust. Your Master reviewed the Will of Gordon J. Mattos, dated August 31, 2016, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Gordon J. Mattos Revocable Living Trust, dated August 31, 2016.

The Trust indicates that Gordon A. Mattos is the next-acting Trustee. Copies of the Will and the Certification of Trust are attached as Exhibit “D” to Petition #22.

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 **GORDON A.**

MATTOS, Trustee of the Gordon J. Mattos Revocable Living Trust dated August 31, 2016,
to be distributed in accordance with the terms of the Trust.

(Y) COLLEEN LEIMOMI YARBROUGH-BORDEAUX

Your Master reviewed the facts contained in Petition #22, 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, Tina Matthews. She confirmed that her mother did not have a Will or Trust and that she is the only descendant 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 to **TINA MARIE L. MATTHEWS.**

(Z) WILLIAM PAULO NIAU

Your Master reviewed the facts contained in Petition #22, 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 made attempts but was unable to contact any family members prior to the filing of this report.

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 decedent

was survived by five descendants, three of whom died after the decedent. Of those who died, Ronald H. Niau and Lanis-Loy Niau, died without a spouse or descendants. Their share of the settlement shall be divided among the remaining heirs. The third descendant who died, Lu-Ann Krienke, is survived by her spouse and he 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:

HAUNANI LAWThER – ONE-THIRD (1/3)
LEILANI NAMAHOE – ONE-THIRD (1/3)
WILLIAM RODNEY KRIENKE – ONE-THIRD (1/3)

(AA) PROMESE LOVE (also known as VERDALLIE KAUI, also known as VERDALLY KAUI)

Your Master reviewed the facts contained in Petition #22, as well as the data provided in the Facilitator database. The decedent's death certificate lists marital status as Married to Matt Love, who died after the decedent. There was no will or trust submitted. Your Master made attempts but was unable to contact any family members prior to the filing of this report.

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. Here, since the surviving spouse died after the decedent, his estate controls and his descendants take the settlement 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:

EVERISTO POLIDO – ONE-FIFTH (1/5)
CHRONICLES H. ANCOG – ONE-FIFTH (1/5)
CORINTHIANS P. MCNAIR – ONE-FIFTH (1/5)
DARLENE H. TEXEIRA – ONE-FIFTH (1/5)
JERIMIAH I. KALUA – ONE-FIFTH (1/5)

(BB) BRENT KALUA (also known as MATT LOVE)

Your Master reviewed the facts contained in Petition #22, 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 made attempts but was unable to contact any family members prior to the filing of this report.

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:

EVERISTO POLIDO – ONE-FIFTH (1/5)
CHRONICLES H. ANCOG – ONE-FIFTH (1/5)
CORINTHIANS P. MCNAIR – ONE-FIFTH (1/5)
DARLENE H. TEXEIRA – ONE-FIFTH (1/5)
JERIMIAH I. KALUA – ONE-FIFTH (1/5)

(CC) WILHELMINA KEALOHAPAUOLE BARRETT

Your Master reviewed the facts contained in Petition #22, 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, Dorothy Jean Puanani Carr. She confirmed that her mother did not have a Will or Trust and that she and her five siblings are the only descendants of the decedent.

Pursuant to HRS §560:2-103, 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:

VALERIE ANN KALEIKINI – ONE-SIXTH (1/6)
MAC JONATHAN BASSETT – ONE-SIXTH (1/6)
LYNN MARIE MAHELANI BASSETT – ONE-SIXTH (1/6)
DOROTHY JEAN PUANANI CARR – ONE-SIXTH (1/6)
MARGARET ANNE LUANA BASSETT – ONE-SIXTH (1/6)
LANCE EDWARD ARNOLD BASSETT – ONE-SIXTH (1/6)

(DD) ELIZABETH LINDSEY KIMURA

Your Master reviewed the facts contained in Petition #22, 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 Elizabeth L. Kimura, dated April 22, 2005, which has not been admitted to probate. The Will is a pour over will and directs the residuary estate to the Elizabeth L. Kimura Revocable Living Trust, dated April 22, 2005.

The Trust indicates that Leonetta H. Mills and Larry Lindsey Kimura are the next-acting Co-Trustees. Copies of the Will and the Trust are attached as Exhibit "E" to Petition #22,.

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 **LEONETTA H. MILLS and LARRY LINDSEY KIMURA, Co-Trustees of the Elizabeth L. Kimura Revocable Living Trust dated April 22, 2005**, to be distributed in accordance with the terms of the Trust.

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 #22;
- B. That the Court grant the Petition for Instructions #22, filed July 3, 2025;
- C. That the Court find that jurisdictional requirements have been met and the venue is proper;
- D. That the Court finds 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 July 30, 2025.

/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.

PAUL R. STANLEY
P.O. Box 711386
Mountain View, Hawaii 96771

LOUIE P. PELEKAI
1720 Ala Moana Boulevard, #1202A
Honolulu, Hawaii 96815

DERRICK K. PELEKAI
87-035 Paakea Road Apt. B
Waianae, Hawaii 96792

DOREEN DUNG PELEKAI
84-707 Kiana Place, Unit 102A
Waianae, Hawaii 96792

SHON K. PELEKAI
85-1003 Hoolokahi Street
Waianae, Hawaii 96792

CLARA K. PANUI
85-1003 Hoolokahi Street
Waianae, Hawaii 96792

JAMES K. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

LORI L. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

CAROL ANN MAHEALANI PELEKAI
89-085 Kihonua Place
Waianae, Hawaii 96792

HENRY W. PELEKAI
89-210 Mano Avenue
Waianae, Hawaii 96792

FLORENCE YELINEK
6190 Ballard Drive
Flint, Michigan 48505

OWEN K. PELEKAI
85-1003 Hoolokahi Street
Waianae, Hawaii 96792

SHANNON K. PELEKAI
85-241 Waianae Valley Road
Waianae, Hawaii 96792

VIOLA K. TEGGE
15039 S.W. Royalty Parkway M6 Tigard,
Oregon 97224

BETH K. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

BRAD K. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

MIKI N. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

JAMES K. ROBERTS JR.
207 Meadowgate Terrace
Gaithersburg, Missouri 20877

CHERYL ANN K. GOOD
2695 Paradise Way
Grand Junction, Colorado 81506

MAILEANN M. BATTAD-ROBINS-KAOPUIKI
1655 Kamehameha V Highway
Kaunakakai, Hawaii 96748

WARREN M. RODRIGUES
74-724 Paia Place
Kailua-Kona, Hawaii 96740

DAVID RODRIGUES
3273 E 1177 N
Thayer, Indiana 46381

CHARMAINE I. KAIMIKAUA
91-1381 Kekahili Street
Kapolei, Hawaii 96707

CHARLANDA N. KAIMIKAUA-FOWLER
5339 Via Rincon
Newbury Park, California 91320

ROBERT L. HALL
91-1105 Hapua Street
Ewa Beach, Hawaii 96706

ELBERTA SOREN
56-399 Papelehala Loop
Kahuku, Hawaii 96731

REGINA H. HAITSUKA
45-728 Waiawi Street
Kaneohe, Hawaii 96744

LEE ANN M. CONTRADES
45-473 Kukia Street
Kaneohe, Hawaii 96744

ANNE-MARIE W.W. AHSING
4667 Highland Drive
Bellevue, Washington 98006

TRACEY H. NAKAMURA
1019 Koae Street
Honolulu, Hawaii 96816

ADAM K. ROBERTS
41-332 Nakini Street
Waimanalo, Hawaii 96795

MAXINE K. MARIDETH
1225 Sandalwood Drive
Harwood, Maryland 20776

TEVA O. ROBINS
87-224 Kulaaupuni Street
Waianae, Hawaii 96792

RYAN RODRIGUES
1421 Potter Drive
Columbia, Tennessee 38401

STEPHANIE LUCAS
441 Dogwood Street NW
Demotte, Indiana 46310

CHARLES M. KAIMIKAUA
1741 Talon Avenue
Henderson, Nevada 89074

JIMMIE HALL
85-1066 Pula Way
Waianae, Hawaii 96792

MACWILLIAM K. HALL
85-1066 Pula Way
Waianae, Hawaii 96792

STACY DENTON
P.O. Box 1353
Kamuela, Hawaii 96743

LESLIE L. DOO-WRIGHT
45-1038 Kamau Place, Unit C
Kaneohe, Hawaii 96744

JOSEPH I. DOO
2050 Nuuanu Avenue, Apt #110
Honolulu, Hawaii 96817

ROBERTA L.W. AHSING
99-1281 Aiea Heights Drive
Aiea, Hawaii 96701

THERESA H.W. AHSING
1515 Ward Avenue, Apt. 806
Honolulu, Hawaii 96822

KATHLEEN K.W. AHSING
99-1281 Aiea Heights Drive
Aiea, Hawaii 96701

BENNY A. SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

FRANK A. SALAS III
P.O. Box 711619
Mountain View, Hawaii 96771

KAWA T. SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

KENNETH MICHAEL HITZEMAN
84-691 Upena Street
Waianae, Hawaii 96792

BRETT K. HITZEMAN
9775 Phoenician Avenue
Las Vegas, Nevada 89148

PAULA M. HILLEN-FOLLNER
3214 Palindrome Avenue
Henderson, Nevada 89044

DESIREE M. HILLEN
P.O. Box 383966
Waikoloa, Hawaii 96738

ERIN K. KAAUWAI
415 N Monroe Street
Arlington, Virginia 22201

REED BRADFORD SUMNER
65 Apapane Road
Hilo, Hawaii 96720

NATALIE KAMA
50 Vevau Street, Apt. 107
Kahului, Hawaii 96732

DAVIANE K. VALDEZ
10 Elm Street
Freeport, New York 11520

ALAN AHSING
91-632 Pohakupuna Road
Ewa Beach, Hawaii 96706

DAVID WILLIAM SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

LUNALILO SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

AMA L. SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

KEOKI M. SALAS
P.O. Box 711619
Mountain View, Hawaii 96771

KERI K. WATSON
91-1692 Orrick Street
Ewa Beach, Hawaii 96706

KEVIN M. HITZEMAN
2720 West Serene Avenue #1092
Las Vegas, Nevada 89123

CYNTHIA LA SENO
1338 Ulupuni Street
Kailua, Hawaii 96734

CHADD M. HILLEN
2291 W. Horizon Ridge Parkway 13277
Henderson, Nevada 89052

LARA P. KAAUWAI
1216 S Oakcrest Road
Arlington, Virginia 22202

SASHA MARIE K. SUMNER
41-856 Oluolu Street
Waimanalo, Hawaii 96795

EVAN P. DUST
60 Kapi Lane #15-105
Wailuku, Hawaii 96793

DAVENAT K.E.K. KAMA FERNANDEZ
8504 NE 102nd Avenue
Vancouver, Washington 98662

DAVILEIGH K. NAEOLE
12 Kahilinaena Street
Kula, Hawaii 96790

DAVIDEANE L. KAMA SICKELS
P.O. Box 2100
Wailuku, Hawaii 96793

DAVERINE M. KAMA SASSAMAN
12 Kahilinaena Street
Kula, Hawaii 96790

JEREMIAH-NATHANAEL IOANE KAMA
745 Iaukea Street
Honolulu, Hawaii 96813

GEORGE K. NAWELI
89-1044 Pikaiolela Street
Waianaeanae, Hawaii 96792

NOVALEEN K.R. NAWELI
2038 Palm Street SPC518
Las Vegas, Nevada 89104

KEVIN LEWIS K. NAPIHAA
91-1363 Kinoiki Street
Kapolei, Hawaii 96707

JAMES K. NAPIHAA
91-219 Koaniamakani Place
Kapolei, Hawaii 96707

NATHAN K. NAPIHAA
91-1042 Kawaiula Street
Kapolei, Hawaii 96707

IMAIKALAMI NAMAHOE JR.
170 Palua Loop
Hilo, Hawaii 96720

DWAYNE K. NAMAHOE
87-142 Laanui Street
Waianaeanae, Hawaii 96792

MICHAEL KELSO
474 Stimpson Road
Oroville, California 95965

JAMES MCBRAYER
91-1155 Hamana Street, Apt. D
Ewa Beach, Hawaii 96706

DAVEANA H. KAMA FISCHER
10 Elm Street
Freeport, New York 11520

DAVID H. KAMA JR.
P.O. Box 503
Wailuku, Hawaii 96793

DAVILENE A. KAMA
50 Vevau Street, Apt 107
Kahului, Hawaii 96732

DAVERRY M. KAMA
P.O. Box 17650
Portland, Oregon 97217

GEORGE K. NAWELI III
87-114 Alapaki Street
Waianaeanae, Hawaii 96792

JOHANNAH K. NAWELI
2038 Palm Street SPC518
Las Vegas, Nevada 89104

PETER K.K. NAPIHAA JR.
91-1075 Shangrila Street, Apt. 325
Kapolei, Hawaii 96707

MICHAEL NAPIHAA
91-219 Koaniamakani Place
Kapolei, Hawaii 96707

JEANNIEMARIE POGI
91-1389 Kamahoi Street
Ewa Beach, Hawaii 96706

BENNET NAMAHOE
825A University Avenue
Honolulu, Hawaii 96826

SHERYLYNE M. NAMAHOE
91-869 Puhikani Street
Ewa Beach, Hawaii 96706-4019

TERRANCE KELSO
1248 Lunalilo Street, Apt. C
Honolulu, Hawaii 96822

TIMOTHY MCBRAYER
91-1053 Hoakalei Street
Kapolei, Hawaii 96707

SCOTT MCBRAYER
91-916 Puhikani Street
Ewa Beach, Hawaii 96706

NORMA MATTSON-LIU
2550 Date Street, Unit D100
Honolulu, Hawaii 96815

DAVID M. MATTSON
3125 Kaohinani Drive
Honolulu, Hawaii 96817

CHARLES K. MATTSON
41-503 Inoaole Street
Waimanalo, Hawaii 96795

LEHUANANI CURLEY
914 N Williamson Avenue
Winslow, Arizona 86047

SHELLY L. KAUI
P.O. Box 327
Eleele, Hawaii 96705

BESSIE P. CARVEIRO
P.O. Box 327
Eleele, Hawaii 96705

LINDA L. KEP A
567 Kaiwahine Street, Apt. 201
Kihei, Hawaii 96753

KEAOKALANI MATTOS
4384 Halupa Street
Honolulu, Hawaii 96818

TINA L. MATTHEWS
P.O. Box 505
Hoolehua, Hawaii 96729

LEILANI NAMAHOE
91-0673 Kumuhonua Street
Ewa Beach, Hawaii 96706

MAKAI O KRIENKE
5964 S Carlburg Avenue
Boise, Idaho 83709

MARISSA KRIENKE
5964 S Carlburg Avenue
Boise, Idaho 83709

ULULANI L. MATTSON
366 N Vineyard Boulevard, Apt. F17
Honolulu, Hawaii 96817

RUSSELL K. MATTSON
64-1040 Kauikeaouli Street
Kamuela, Hawaii 96743

LANCE K. MATTSON
61-3974 Kailapa Street, Box 50
Kamuela, Hawaii 96743

NAOMI SILVA
9925 W Russell Road #1024
Las Vegas, Nevada 89148

LANI L. KAUANOE
41-610 Kalaniana'ole Highway
Waimanalo, Hawaii 96795

SHARON L. KAUI
P.O. Box 327
Eleele, Hawaii 96705

SAMSON K. KEP A III
1551 S. Beretania Street, Apt. 811
Honolulu, Hawaii 96826

GORDON A. MATTOS
41-200 Paupahapaha Place
Waimanalo, Hawaii 96795

SHANGRI-LA K. SANTIAGO
41-194 Huli Street
Waimanalo, Hawaii 96795

HAUNANI LAW THER
11139 Gold Hitt Court
Las Vegas, Nevada 89179

WILLIAM RODNEY KRIENKE
14729 Capote Lane
Orlando, Florida 32828

MAILE KRIENKE
24 Meadow Lane
Boise, Idaho 83716

MELINA KRIENKE
5964 S Carlburg Avenue
Boise, Idaho 83709

EVERISTO P. POLIDO
146 C Wilikina Drive
Wahiawa, Hawaii 96786

CORINTHIANS P. MCNALTY
41-909 Oluolu Street
Waimanalo, Hawaii 96795

JERIMIAH I. KALUA
41-568 Flamingo Street
Waimanalo, Hawaii 96795

DELICIA G. RANGLES
P.O. Box 2110
Keaau, Hawaii 96749

CLAYTON D. KAUIHI
P.O. Box 684
Hauula, Hawaii 96717

VALERIE ANN KALEIKINI
855 E Twain Road #123
Las Vegas, Nevada 89169

LYNN MARIE MAHELANI BASSETT
2555 Sherwood Street #5
Las Vegas, Nevada 89109

MARGARET ANNE LUANA BASSETT
1436 Garden Circle #C
Las Vegas, Nevada 89119

LARRY KIMURA
243 Mikala Street
Hilo, Hawaii 96720

JAMES KIMURA
5750 Ash Drive
Cumming, Georgia 30040

JEFFERY STANIEC
5530 Bristlecone Pine Way
Cumming, Georgia 30040

CHRONICLES H. ANCOG
41-909 Oluolu Street
Waimanalo, Hawaii 96795

DARLENE H. TEXEIRA
146 C Wilikina Drive
Wahiawa, Hawaii 96786

VERDALLIE N. KAUA
95-1060A Lehiwa Drive #224
Mililani, Hawaii 96789

FRANCHESCADEAN K. CRAFT
46-229 Kahuhipa Street #E102
Kaneohe, Hawaii 96744

RAYNELL K. KAOWILI
46-010 Aliikane Place #222
Kaneohe, Hawaii 96744

MAC JONATHAN BASSETT
1200 S. Torrey Pines Drive
Building #3, Apt. #15
Las Vegas, Nevada 89146

DOROTHY JEAN PUANANI CARR
8838 N. 8th Street, Unit 103
Phoenix, Arizona 85020

LANCE EDWARD ARNOLD BASSETT
1200 S. Torrey Pines Drive
Building #3, Apt. #15
Las Vegas, Nevada 89146

LESTER KIMURA
P.O. Box 1075
Kamuela, Hawaii 96743

LEONETTA MILLS
66-1313 Ahuli Circle
Kamuela, Hawaii 96743

DATED: Honolulu, Hawaii, July 30, 2025.

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