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Dkt. 5551 ORD

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

In the Matter of the Estate EQUITY NO. 2048

of AMENDED ORDER RELATING TO THE

NOTICE OF ANTICIPATED VACANCY

BERNICE P. BISHOP, FOR TRUSTEE NOBRIGA

Deceased.

AMENDED ORDER RELATING TO THE NOTICE OF ANTICIPATED VACANCY FOR TRUSTEE NOBRIGA

In light of the Court's recently filed Order Approving Amended and Restated Procedure for Trustee Selection [Dkt No. 5549], the Court hereby amends the Order filed on January 13, 2025 [Dkt No. 5538] regarding the Notice of Anticipated Vacancy for Trustee Robert K.W.H. Nobriga [Dkt No. 5534]:

1. By separate Order of Reference filed on January 13, 2025 [Dkt No. 5540], this Court appointed Benjamin M. Matsubara, Esq. as Master to examine and report on the Notice of Anticipated Vacancy of Trustee Robert K.W.H. Nobriga, whose term is set to expire on June 30, 2025.

- 2. In accordance with the Court's Order Approving Amended and Restated Procedure for Trustee Selection which approved and adopted the Selection Process for Future Trustees set forth on pages 19 through 28 of the Special Masters' Report filed on June 10, 2024, the Court will appoint a Trustee Screening Committee consisting of a minimum of seven knowledgeable and informed individuals, each of whom the Probate Court finds to possess a commitment to the purpose and intent of Pauahi's Will and legacy, integrity, ethical conduct, moral character, and disinterested status necessary to be an independent and unconflicted Committee member, and who demonstrate a longstanding history of leadership, competence and probity. Each Committee member shall be familiar with, sensitive to, and have an understanding and appreciation for:
 - (a) Pauahi's Will, legacy and her vision for the education and well-being of people of native Hawaiian ancestry;
 - (b) The history and role of the Trust relative to the native Hawaiian community and the community at large;
 - (c) Kamehameha Schools' strategic vision and mission; and
 - (d) The foundation upon which Kamehameha Schools was founded.

Each Committee member, relative to the purpose and intent of Pauahi's Will, should ideally possess experience and insight into the operation, management, and leadership of large organizations, such as a large private educational institution, large financial institutions, or large public charitable trusts or foundations. The Master is authorized to retain a consultant(s) to assist in identifying, researching, and vetting individuals who meet the qualities and qualifications for the Committee.

- 3. The Court will authorize and direct the Committee to proceed in accordance with the Special Masters' Report filed on June 10, 2024, the Court's Order Approving the Amended and Restated Procedure for Trustee Selection, and any supplemental orders of this Court in assisting the Court by identifying qualified individuals to succeed Trustee Nobriga and selecting finalists for that position.
- 4. The Committee shall be authorized to retain an experienced consultant knowledgeable and experienced in hiring executive personnel to assist the Committee in organizing, screening, and reviewing applications and nominations for the trustee vacancy. All costs and expenses incurred by the consultant in carrying out the directives of the Committee shall be borne by the Trust Estate.
- 5. Upon the Committee's filing of a final report with three finalists to succeed Trustee Nobriga, the Court will set a date and time for hearing on the Committee's report recommending appointment of one of the persons so selected to serve as successor trustee under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, for such term as this Court shall determine, upon and subject to the terms of the Trust, applicable law, and orders of this Court.

DATED: Honolulu, Hawai'i, February 6, 2025.

/s/ Jeannette H. Castagnetti
Judge of the Above-Entitled Court