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Attorneys for Defendant  
ST. FRANCIS MEDICAL CENTER

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

LOY K.S. WATANABE, GERALD  
CARRELL, STERLING J.K. ALLEN,  
JOSEPH W. LEPINE, ANTHONY AGUIAR,  
MICHAEL ALMEIDA, STEPHEN  
ARRUDA, ALIKA BAJO, RON D. BODE,  
BRENDAN K. BUCHWACH, DOUGLAS  
BURKE, BLAKE CONANT, as Personal  
Representative of the ESTATE OF  
CHRISTOPHER CONANT, SHANNON  
HART, PHILLIP L. HOOTON, HAROLD K.  
KAULA, as Personal Representative of the  
ESTATE OF EDWARD K. KAULA,  
EMMETT LEE LOY, HILARY LEE LOY,  
LAMBERT LEE LOY, MALIA MARQUES,  
as Personal Representative of the ESTATE OF  
ANTHONY T. LUM, JOHN D.K. MORRIS,  
TODD I. RAGSDALE, CARL J. ROSSETTI,  
JOSEPH T. SOWA, KEALA WAI'AU, JOHN  
DOE 1, JOHN DOE 2,

Plaintiffs,

vs.

TRUSTEES OF THE ESTATE OF BERNICE  
PAUAHI BISHOP dba KAMEHAMEHA  
SCHOOLS, ROBERT K.W.H. NOBRIGA, in  
his capacity as Trustee of the Estate of Bernice  
Pauahi Bishop, CORBETT A.K. KALAMA, in

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2016 NOV 18 PM 3:45

N. ANAYA  
CLERK,

CIVIL NO. 16-1-0086-01 VLC  
(Other Non-Vehicle Tort)  
CONSOLIDATED

DEFENDANT ST. FRANCIS MEDICAL  
CENTER'S RESPONSIVE PRETRIAL  
STATEMENT; CERTIFICATE OF SERVICE

Judge: The Honorable Virginia L. Crandall

TRIAL DATE: June 1, 2018

*(Caption continued on next page.)*

his capacity as Trustee of the Estate of Bernice Pauahi Bishop, MICAH A. KANE, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, LANCE KEAWE WILHELM, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, RICHARD D. GRONNA, as Personal Representative of the ESTATE OF ROBERT MCCORMICK BROWNE, ST. FRANCIS MEDICAL CENTER, KUAKINI HEALTH SYSTEM, formerly or also known as KUAKINI MEDICAL CENTER, JOHN DOES 1-10, JANE DOES 1-10, DOE CORPORATIONS 1-10, DOE PARTNERSHIPS 1-10, DOE UNINCORPORATED ORGANIZATIONS 1-10,

Defendants.

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DAVID W.K. AULD, WILLIAM BREWER, SCOTT HORIUCHI, JOSEPH L.K. JAMES, R. RONALD JAMES, fka RONALD ROI WEIR, JOHN DOE 3,

Plaintiffs,

vs.

TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BISHOP dba KAMEHAMEHA SCHOOLS, ROBERT K.W.K. NOBRIGA, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, CORBETT A.K. KALAMA, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, MICAH A. KANE, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, LANCE KEAWE WILHELM, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, RICHARD D. GRONNA, as Personal Representative of the ESTATE OF ROBERT MCCORMICK BROWNE, ST. FRANCIS MEDICAL CENTER, KUAKINI HEALTH SYSTEM, aka KUAKINI MEDICAL CENTER, JOHN DOES

CIVIL NO. 16-1-0786-04 KTN  
(Other Non-Vehicle Tort)

1-10, JANE DOES 1-10, DOE  
CORPORATIONS 1-10, DOE  
PARTNERSHIPS 1-10, DOE  
UNINCORPORATED ORGANIZATIONS  
1-10,

Defendants.

DEFENDANT ST. FRANCIS MEDICAL CENTER'S  
RESPONSIVE PRETRIAL STATEMENT

Defendant ST. FRANCIS MEDICAL CENTER ("ST. FRANCIS"), by and through its attorneys, McCorriston Miller Mukai MacKinnon, LLP, and pursuant to Rule 12(h) of the Rules of the Circuit Courts of the State of Hawai'i, respectfully submits the following as its Responsive Pretrial Statement:

I. STATEMENT OF FACTS

This case arises out of allegations of sexual abuse by Plaintiffs LOY K.S. WATANABE, GERALD CARRELL, STERLING J.K. ALLEN, JOSEPH W. LEPINE, ANTHONY AGUIAR, MICHAEL ALMEIDA, STEPHEN ARRUDA, ALIKA BAJO, RON D. BODE, BRENDAN K. BUCHWACH, DOUGLAS BURKE, BLAKE CONANT, as Personal Representative of the ESTATE OF CHRISTOPHER CONANT, SHANNON HART, PHILLIP L. HOOTON, HAROLD K. KAULA, as Personal Representative of the ESTATE OF EDWARD K. KAULA, EMMETT LEE LOY, HILARY LEE LOY, LAMBERT LEE LOY, MALIA MARQUES, as Personal Representative of the ESTATE OF ANTHONY T. LUM, JOHN D.K. MORRIS, TODD I. RAGSDALE, CARL J. ROSSETTI, JOSEPH T. SOWA, KEALA WAI AU, JOHN DOE 1, and JOHN DOE 2, DAVID W.K. AULD, WILLIAM BREWER, SCOTT HORIUCHI, JOSEPH L. K. JAMES, R. RONALD JAMES, fka RONALD ROI WEIR, and JOHN DOE 3 (collectively, "Plaintiffs"). On June 21, 2016, Plaintiffs filed their First Amended Complaint

(“Complaint”) against Defendants TRUSTEES OF THE ESTATE OF BERNICE PAUAHI BIHIP DBA KAMEHMEHA SCHOOLS, ROBERT K. W. K. NOBRIGA, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, CORBETT A.K. KALAMA, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, MICAH A. KANE, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, LANCE KEAWE WILHELM, in his capacity as Trustee of the Estate of Bernice Pauahi Bishop, RICHARD D. GRONNA, as Personal Representative of the ESTATE OF ROBERT MCCORMICK BROWNE, ST. FRANCIS MEDICAL CENTER, KUAKINI HEALTH SYSTEM, fka KUAKINI MEDICAL CENTER and various Doe Defendants. The Complaint alleged the following claims:

Count I: Sexual Assault and Battery;

Count II: Breach of Fiduciary Duty;

Count III: Gross Negligence;

Count IV: Intentional Infliction of Emotional Distress;

Count V: Grossly Negligent Infliction of Emotional Distress;

Count VI: Grossly Negligent or Reckless Referral, Selection, Training, Retention, and/or Supervision of Dr. Browne; and

Count VII: Grossly Negligent or Reckless Credentialing and/or Granting Privileges to Dr. Browne.

ST. FRANCIS answered the Complaint on June 30, 2016.

## II. ADMITTED FACTS

1. ST. FRANCIS is a nonprofit corporation duly licensed to conduct business in the State of Hawai‘i.

### III. DEFENSES ADVANCED

1. The Complaint, and each purported claim alleged therein, fails to state a claim against ST. FRANCIS upon which relief may be granted.

2. Plaintiffs have failed to join parties necessary under Rule 19(a) of the Hawai‘i Rules of Civil Procedure (“HRCP”) and/or indispensable under HRCP 19(b).

3. Plaintiffs’ claims are barred, in whole or in part, by the applicable statute of limitations.

4. Plaintiffs’ claims are barred, in whole or in part, by the equitable theories of estoppel, waiver, and laches.

5. Plaintiffs failed to pursue alternative dispute resolution.

6. Plaintiffs have failed to take reasonable steps to mitigate their damages, if any.

7. Plaintiffs’ damages are the result of acts or omissions committed by Plaintiffs, not ST. FRANCIS.

8. Plaintiffs’ damages are too speculative to permit recovery.

9. Plaintiffs’ recovery in this action, if any, should be reduced in accordance with the doctrine of avoidable consequences.

10. The remedy sought by Plaintiffs is, in whole or in part, in violation of the provisions of the Eight and/or Fourteenth Amendment of the Constitution of the United States of America and thus should not be allowed.

11. The remedy sought by Plaintiffs is, in whole or in part, in violation of the provision of Article I, Section 5 and/or Article I, Section 12 of the Constitution of the State of Hawai‘i and thus should not be allowed.

12. ST. FRANCIS alleges that it has appropriately, completely, and fully performed and discharged any and all obligations and legal duties, if any, arising out of the matters alleged in the Complaint.

13. ST. FRANCIS reserves the right to assert additional defenses, claims and counterclaims as may become apparent through additional investigation and discovery.

14. ST. FRANCIS reserves the right to bring in additional parties as may become apparent through additional investigation and discovery.

IV. NON-EXPERT WITNESSES

1. Loy K. S. Watanabe  
Joseph W. Lepine  
Gerald Carrell  
Sterling J. K. Allen  
Anthony Aguiar  
Michael Almeida  
Stephen Arruda  
David W. K. Auld  
Alika Bajo  
Ron D. Bode  
William Brewer  
Brendan K. Buchwach  
Douglas Burke  
Blake Conant, as Personal Representative of the Estate of Christopher Conant  
Shannon Hart  
Phillip L. Hooton  
Scott Horiuchi  
Joseph James  
Ronald James  
Harold K. Kaula, as Personal Representative of the Estate of Edward K. Kaula  
Emmett Lee Loy  
Brigit Bales, as conservator/guardian of Hilary Lee Loy  
Lambert Lee Loy  
Malia Marques, as Personal Representative of the Estate of Anthony T. Lum  
John D. K. Morris  
Todd I. Ragsdale  
Carl J. Rossetti  
Joseph T. Sowa  
Keala Waiiau

Plaintiffs identified as John Doe 1, John Doe 2, and John Doe 3  
c/o Law Office of Michael Jay Green  
841 Bishop Street, Suite 2201  
Honolulu, Hawai'i 96813  
and  
Davis Levin Livingston  
851 Fort Street, Suite 400  
Honolulu, Hawai'i 96813

Said witnesses are expected to testify as to the issues of liability and damages.

2. Robert K. W. H. Nobriga, in his capacity as Trustee  
Corbert A. K. Kalama, in his capacity as Trustee  
Micah A. Kane, in his capacity as Trustee  
Lance Keawe Wilhelm, in his capacity as Trustee  
Anthony J. Ramos  
Winona Rubin  
George H. Mills  
(William) Larry Lee  
Pua Ka'ai  
James Harpstrite  
Ingrid Mueller  
Thomas Sakamoto  
Michael Chung  
Michael J. Chun  
c/o Paul Alston, Esq.  
Clyde J. Wadsworth, Esq.  
Michelle Comeau, Esq.  
1001 Bishop Street, Suite 1800  
Honolulu, Hawai'i 96813  
and  
Crystal K. Rose, Esq.  
Adrian L. Lavarias, Esq.  
Jordyn S. H. Toba, Esq.  
700 Bishop Street, Suite 900  
Honolulu, Hawai'i 96813

Said witnesses are expected to testify as to the issues of liability and damages.

3. Richard D. Gronna, a Personal Representative  
of the Estate of Robert McCormick Browne  
841 Bishop Street, Suite 2201  
Honolulu, Hawai'i 96813

Said witness is expected to testify as to the issues of liability and damages.

4. Sonya Martini  
Representative(s) of St. Francis Medical Center  
c/o McCorriston Miller Mukai MacKinnon LLP  
Five Waterfront Plaza, 4th Floor  
500 Ala Moana Boulevard  
Honolulu, Hawai'i 96813

Said witnesses are expected to testify as to the issues of liability and damages.

5. Stacy Rosehill-Baker  
c/o Paul Alston, Esq.  
Clyde J. Wadsworth, Esq.  
Michelle Comeau, Esq.  
1001 Bishop Street, Suite 1800  
Honolulu, Hawai'i 96813  
and  
Crystal K. Rose, Esq.  
Adrian L. Lavarias, Esq.  
Jordyn S. H. Toba, Esq.  
700 Bishop Street, Suite 900  
Honolulu, Hawai'i 96813

Said witness is expected to testify as to the record retention policies, as well as to the issues of liability and damages.

6. William T. Tsushima, Ph.D.  
Straub Clinic & Hospital  
888 South King Street  
Honolulu, Hawai'i 96813

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

7. Mark H. Bernstein, M.D.  
319 C North Cane Street  
Wahiawa, Hawai'i 96789

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.



8. Stephanie Napoli, Ph.D.  
Molokai Community Health Center  
P.O. Box 2040  
Kaunakakai, Hawai'i 96748

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

9. Dr. Yoshi Shitsugu, Psy.  
(current address unknown)

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

10. Dr. Joy Ferris, PCP  
(current address unknown)

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

11. David Wells  
(current address unknown)

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

12. Dr. Brian Morgan  
Omak Mental Health  
Omak, WA 98841

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

13. Gary H. Cohen, M.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

14. Antonio Gino, Ph.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

15. Curtis Nakatsu, M.D., PCP  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

16. David Bremer, Ph.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

17. Fernando Ona, M.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

18. Gabrielle Batzer, M.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

19. Bhisit Changecharoen, M.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

20. Robert J. Porter, Ph.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

21. Michelle L. Randolph, M.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

22. Nancy W. Withers, Ph.D.  
VA Clinic Hawai'i

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

23. David Slaughter, Ph.D.  
909 SW St. Clair Ave.  
Portland, Oregon 97205

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

24. John Takacs, D.O.  
5909 SE Division Street  
Portland, Oregon 97206

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

25. Alice Tando  
1314 Kalakaua Avenue, Apt. 404  
Honolulu, Hawai'i 96826

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

26. Plaintiff in Civil No. 16-1-0574-03 identified as John Doe 1  
c/o Matson Kelley, Esq.  
24 N. Church Street, Suite 202  
Wailuku, Hawai'i 96793

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

27. Plaintiff in Civil No. 16-1-0809-04 identified as Student Doe 30  
c/o Steven K. Hisaka, Esq.  
733 Bishop Street, Suite 1520  
Honolulu, Hawai'i 96813

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

28. Current and Former Employees of and Custodian of Records for  
Kuakini Medical Center  
c/o William A. Bordner, Esq.  
Burke McPheetes Bordner & Estes, AAL, LLC  
119 Merchant Street, Suite 200  
Honolulu, Hawai'i 96813

Said witness is expected to testify as the treatment of Plaintiff, as well as to the issues of liability and damages.

29. Current and Former Employees of and Custodian of Records for  
Kamehameha Schools/Bernice Pauahi Bishop  
c/o Paul Alston, Esq.  
Clyde J. Wadsworth, Esq.  
Michelle Comeau, Esq.  
1001 Bishop Street, Suite 1800  
Honolulu, Hawai'i 96813  
and  
Crystal K. Rose, Esq.  
Adrian L. Lavarias, Esq.  
Jordyn S. H. Toba, Esq.  
700 Bishop Street, Suite 900  
Honolulu, Hawai'i 96813

Said witness is expected to testify as to the issues of liability and damages.

30. Current and Former Employees of and Custodian of Records for  
Straub Clinic & Hospital  
888 S. King Street  
Honolulu, Hawai'i 96813

Said witness is expected to testify as to the treatment of Plaintiff, as well as to the issues of liability and damages.

31. Custodian of Records for Mark H. Bernstein, M.D.  
319 C. North Cane Street  
Wahiawa, Hawai'i 96789

Said witness is expected to testify as to the authenticity of the records.

32. Custodian of Record for Stephanie Napoli, Ph.D.  
Molokai Community Health Center  
P.O. Box 2040  
Kaunakakai, Hawai'i 96748

Said witness is expected to testify as to the authenticity of the records.

33. Current and Former Employees of Molokai Community Health Center  
P. O. Box 2040  
Kaunakakai, Hawai'i 96748

Said witness is expected to testify as to the treatment of Plaintiff, as well as to the issues of liability and damages.

34. Current and Former Employees of Kokua Mental Health on Maui  
133 N. Market Street, #A  
Wailuku, Hawai'i 96793

Said witness is expected to testify as to the treatment of Plaintiff, as well as to the issues of liability and damages.

35. Custodian of Records for Kokua Mental Health on Maui  
133 N. Market Street, #A  
Wailuku, Hawai'i 96793

Said witness is expected to testify as to the authenticity of the records.

36. Custodian of Records for Dr. Yoshi Shitsugu, Psy.  
(current address unknown)

Said witness is expected to testify as to the authenticity of the records.

37. Custodian of Records for Dr. Joy Ferris, PCP  
(current address unknown)

Said witness is expected to testify as to the authenticity of the records.

38. Custodian of Records for David Wells  
Seattle, Washington

Said witness is expected to testify as to the authenticity of the records.

39. Dr. Brian Morgan  
Omak Mental Health  
Omak, Washington 98841

Said witness is expected to testify as to the treatment of Plaintiff, as well as to the issues of liability and damages.

40. Current and Former Employees of Omak Mental Health  
Omak Mental Health  
Omak, Washington 98841

Said witness is expected to testify as to the treatment of Plaintiff, as well as to the issues of liability and damages.

41. Custodian of Records for Omak Mental Health  
Omak Mental Health  
Omak, Washington 98841

Said witness is expected to testify as to the authenticity of the records.

42. Custodian of Records for the VA Clinic Hawai'i  
(current address unknown)

Said witness is expected to testify as to the authenticity of the records.

43. Custodian of Records for David Slaughter, Ph.D.  
909 SW St. Clair Ave.  
Portland, Oregon 97205

Said witness is expected to testify as to the authenticity of the records.

44. Custodian of Records for John Takacs, D.O.  
5909 SE Division Street  
Portland, Oregon 97206

Said witness is expected to testify as to the authenticity of the records.

ST. FRANCIS reserves the right to call any other party or its employees as a witness.

ST. FRANCIS reserves the right to call the custodian of records to authenticate any documents they introduce as an exhibit at the time of trial.

ST. FRANCIS reserves the right to call (a) Any and all witnesses, whether designated as non-expert or expert, named in the Pretrial Statement(s), Settlement Conference Statement(s), or the Final Naming of Witnesses of any party to this action; Answers to Interrogatories or any other pleading or amendments of any party to this action or third-party action; (b) Custodians of

Records for all non-expert and expert witnesses; (c) Rebuttal witnesses; and (d) Any witnesses identified by later discovery.

V. EXPERT WITNESSES

ST. FRANCIS has not determined who it will call as their experts.

ST. FRANCIS reserves the right to call a psychologist and/or a psychiatrist as an expert witnesses or as expert witnesses.

ST. FRANCIS reserves the right to call (a) Any and all witnesses, whether designated as non-expert or expert, named in the Pretrial Statement(s), Settlement Conference Statement(s), or the Final Naming of Witnesses of any party to this action; Answers to Interrogatories or any other pleading or amendments of any party to this action or third-party action; (b) Custodians of Records for all non-expert and expert witnesses; (c) Rebuttal witnesses; and (d) Any witnesses identified by later discovery.

VI. STATEMENT REGARDING ALTERNATIVE DISPUTE RESOLUTION

Lead counsel for the parties have discussed alternative dispute resolution for the foregoing matter in good faith.

VII. OBJECTIONS TO ALTERNATIVE DISPUTE RESOLUTION

None.

DATED: Honolulu, Hawai'i, November 18, 2016.



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DAVID J. MINCHIN  
JORDON J. KIMURA  
JORDAN K. INAFUKU

Attorneys for Defendant  
ST. FRANCIS MEDICAL CENTER

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

LOY K.S. WATANABE, et al.

Plaintiffs,

vs.

TRUSTEES OF THE ESTATE OF BERNICE  
PAUAAHI BISHOP dba KAMEHAMEHA  
SCHOOLS, *et al.*,

Defendants.

CIVIL NO. 16-1-0086-01 VLC  
(Other Non-Vehicle Tort)  
CONSOLIDATED

CERTIFICATE OF SERVICE

DAVID W.K. AULD, et al.,

Plaintiffs,

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TRUSTEES OF THE ESTATE OF BERNICE  
PAUAAHI BISHOP dba KAMEHAMEHA  
SCHOOLS, *et al.*,

Defendants.

CIVIL NO. 16-1-0786-04 KTN  
(Other Non-Vehicle Tort)



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on the date noted below, a true and correct copy of the foregoing document was duly served upon the following persons by U.S. Mail, postage prepaid, or by hand delivery at their last known address as set forth below:

	<b><u>U.S. Mail</u></b>	<b><u>Hand Delivery</u></b>
MICHAEL JAY GREEN, ESQ. EARL L. ANZAI, ESQ. PETER C. HSIEH, ESQ. BRIAN K. MACKINTOSH, ESQ. 841 Bishop Street, Suite 2201 Honolulu, Hawai'i 96813 - and -	√	
MARK S. DAVIS, ESQ. MICHAEL K. LIVINGSTON, ESQ. LORETTA A. SHEEHAN, ESQ. THOMAS M. OTAKE, ESQ. Davis Levin Livingston 851 Fort Street, Suite 400 Honolulu, Hawai'i 96813	√	

Attorneys for Plaintiffs

U.S. Mail

Hand Delivery

RICHARD D. GRONNA, ESQ.  
841 Bishop Street, Suite 2201  
Honolulu, Hawai'i 96813

√

Attorney for Defendant  
RICHARD D. GRONNA, as Personal Representative of  
the ESTATE OF ROBERT McCORMICK BROWNE

PAUL ALSTON, ESQ.  
CLYDE J. WADSWORTH, ESQ.  
MICHELLE N. COMEAU, ESQ.  
Alston Hunt Floyd & Ing  
1001 Bishop Street, Suite 1800  
Honolulu, Hawai'i 96813

√

- and -

CRYSTAL K. ROSE, ESQ.  
ADRIAN L. LAVARIAS, ESQ.  
JORDYN S. H. TOBA, ESQ.  
Bays Lung Rose & Holma  
Topa Financial Center  
700 Bishop Street, Suite 900  
Honolulu, Hawai'i 96813

√

Attorneys for Defendants TRUSTEES OF THE ESTATE  
OF BERNICE PAUAHI BISHOP dba KAMEHAMEHA  
SCHOOLS, ROBERT K.W.H. NOBRIGA, in his capacity  
as Trustee of the Estate of Bernice Pauahi Bishop,  
CORBETT A.K. KALAMA, in his capacity as Trustee of  
the Estate of Bernice Pauahi Bishop, MICAH A. KANE,  
in his capacity as Trustee of the Estate of Bernice Pauahi  
Bishop, and LANCE KEAWE WILHELM, in his capacity  
as Trustee of the Estate of Bernice Pauahi Bishop

DATED: Honolulu, Hawai'i, November 18, 2016.



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DAVID J. MINKIN  
JORDON J. KIMURA  
JORDAN K. INAFUKU

Attorneys for Defendant  
ST. FRANCIS MEDICAL CENTER