

Of Counsel:
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THIRD CIRCUIT
3CCV-23-0000302
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Attorneys for Third-Party Defendant
WATUMULL INVESTMENT CO., LLC

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

NICOLE CRAIG, as an individual and as
Trustee of the Revocable Living Trust of
Nicole L. Craig, and ROES 1-50,
inclusive,

Plaintiff,

vs.

HAWAIIAN PARADISE PARK OWNERS
ASSOCIATION, a Hawai'i nonprofit
corporation, KARIN HOFFMAN, as an
individual and HPPOA Director,
JEFFREY FINLEY, as an individual and
HPPOA Director, and DOES 1-50,
inclusive and DOES 1-20, inclusive,

Defendants.

HAWAIIAN PARADISE PARK OWNERS
ASSOCIATION, a Hawai'i nonprofit
corporation, KARIN HOFFMAN, as an
individual and HPPOA Director,
JEFFREY FINLEY, as an individual and
HPPOA Director, and DOES 1-50,
inclusive and DOES 1-20, inclusive,

Third-Party Plaintiffs,

vs.

WATUMULL INVESTMENT CO., LLC,

Third-Party Defendant.

CIVIL NO. 3CCV-23-0000302 (Hilo Division)
(HTN) (Declaratory Judgment)

**THIRD PARTY DEFENDANT WATUMULL
INVESTMENT CO., LLC'S ANSWER TO
THIRD-PARTY COMPLAINT;
CERTIFICATE OF SERVICE**

**THIRD PARTY DEFENDANT WATUMULL INVESTMENT CO., LLC'S
ANSWER TO THIRD-PARTY COMPLAINT**

Comes now, Third Party Defendant WATUMULL INVESTMENT CO., LLC, (hereinafter referred to as "Third Party Defendant WATUMULL"), by and through its undersigned attorneys, and answers the Third-Party Complaint, filed herein on November 17, 2023 (Dkt. 92), by Third-Party Plaintiffs HAWAIIAN PARADISE PARK OWNERS ASSOCIATION, KARIN HOFFMAN, and JEFFREY FINLEY (hereinafter collectively referred to as "THIRD-PARTY PLAINTIFFS"), as follows:

FIRST DEFENSE:

1. THIRD-PARTY PLAINTIFFS have failed to state a cause of action against Third Party Defendant WATUMULL upon which relief can be granted.

SECOND DEFENSE:

2. Third Party Defendant WATUMULL denies the allegations in paragraphs 14, 15, 16, 17, 18, 20, 22, 23, 25, 26, 28, 30, and 32 of the Third-Party Complaint.

3. Third Party Defendant WATUMULL is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 19 of the Complaint filed herein and therefore denies the allegations set forth therein and leaves the proof of the same to THIRD-PARTY PLAINTIFFS.

4. All allegations of THIRD-PARTY PLAINTIFFS's Third-Party Complaint not specifically answered hereinabove are hereby denied.

AFFIRMATIVE DEFENSES

5. Statute of Limitations
6. Laches and/or unreasonable delay
7. Waiver
8. Acquiescence
9. Detrimental reliance

10. Res Judicata and/or Collateral Estoppel
11. Improper Collateral Attack
12. Settlement Agreement
13. Breach of Contract
14. Tortious Interference with Contract
15. Insufficiency of process and/or Insufficiency of service of process
16. Lack of Standing
17. Lack of personal and/or subject matter jurisdiction
18. Misjoinder and/or Nonjoinder of Parties
19. Failure to join necessary or indispensable parties

WHEREFORE, Third Party Defendant WATUMULL prays:

1. That the Third-Party Complaint filed herein be dismissed with prejudice;
2. That Third Party Defendant WATUMULL be awarded attorney's fees and costs incurred herein; and
3. For such other further relief as this Court deems just and proper in the premises.

DATED: Honolulu, Hawaii, October 25, 2024.

Of Counsel:

/s/ Kurt K. Leong
JEFFREY DANIEL LAU
KURT K. LEONG
Attorneys for Third-Party Defendant
WATUMULL INVESTMENT CO., LLC

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CIVIL NO. 3CCV-23-0000302 (Hilo Division)
(HTN) (Declaratory Judgment)

CERTIFICATE OF SERVICE

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The undersigned hereby certifies that a copy of the foregoing will be served upon the following parties by electronic filing, on the date of filing hereof:

Carol Kaneshige (carol.s.kaneshige@courts.hawaii.gov)
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HAWAIIAN PARADISE PARK OWNERS ASSOCIATION, KARIN HOFFMAN, and
JEFFREY FINLEY

NICOLE CRAIG (nicole@nicolecraiglaw.com)

Plaintiff

DATED: Honolulu, Hawaii, October 25, 2024

Of Counsel:

/s/ Kurt K. Leong

JEFFREY DANIEL LAU

KURT K. LEONG

Attorneys for Third-Party Defendant

WATUMULL INVESTMENT CO., LLC