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Attorneys for Defendants

HAWAIIAN PARADISE PARK OWNERS

ASSOCIATION, KARIN HOFFMAN,

and JEFFREY FINLEY

Electronically Filed

THIRD CIRCUIT

3CCV-23-0000302

29-OCT-2024

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Dkt. 173 FNW

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,

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,

Defendants.

HAWAIIAN PARADISE PARK
OWNERS ASSOCIATION, a Hawai'i
nonprofit corporation, KARIN
HOFFMAN, as an individual and HPPOA
Director, JEFFREY FINLEY, as an

Civil No. 3CCV-23-0000302 (Hilo Division)
(Declaratory Judgment)

DEFENDANTS HAWAIIAN PARADISE PARK
OWNERS ASSOCIATION, KARIN HOFFMAN,
and JEFFREY FINLEY'S FINAL NAMING OF
WITNESSES; CERTIFICATE OF SERVICE

TRIAL DATE: January 27, 2025

JUDGE: Hon. Henry T. Nakamoto

individual and HPPOA Director, and
DOES 1-50, inclusive,

Third-Party Plaintiffs,

vs.

WATUMULL INVESTMENT CO., LLC,

Third-Party Defendant.

638-050

**DEFENDANTS HAWAIIAN PARADISE PARK OWNERS ASSOCIATION, KARIN
HOFFMAN, and JEFFREY FINLEY’S FINAL NAMING OF WITNESSES**

Defendants Hawaiian Paradise Park Owners Association, Karin Hoffman, and Jeffrey Finley (hereinafter “Defendants”) by and through their attorneys, Roeca Luria Shin LLP, hereby submit their Final Naming of Witnesses pursuant to Rule 12(d) of the Rules of the Circuit Courts of the State of Hawai‘i.

On October 25, 2024, Third-Party Defendant Watumull Investment Co., LLC filed a *Proposed Stipulation to Vacate Trial Date, and to Set Trial Setting Status Conference, and Order* [Dkt. 167] which requested, *inter alia*, “the Court schedule a Trial Setting Status Conference for the purpose of setting a new trial date and re-set unexpired pre-trial deadlines[.]” This Final Naming of Witnesses is being submitted pursuant to Defendant’s unexpired October 29, 2024 deadline as provided in the *Scheduling Order* filed November 8, 2023 [Dkt. 84]. Defendants’ submission of this Final Naming of Witnesses is without prejudice to the Court’s re-setting of Defendants’ Final Naming of Witnesses deadline, which was unexpired as of the date of the filing of the *Proposed Stipulation* and remains unexpired as of the date of this filing. Defendants reserve their right to amend and supplement their Final Naming of Witnesses prior to the re-setting of any new deadline the Court may set.

In addition to the witnesses identified in Defendants Hawaiian Paradise Park Owners Association, Karin Hoffman, and Jeffrey Finley's Initial Disclosure provided to Plaintiff via *Priority Mail* November 15, 2023, and evidenced by the filing of a Certificate of Service on November 15, 2023, [Dkt. 90], Defendants identify the following witnesses:

A. NON-EXPERT WITNESSES

1. Brian Egan
HC 3 Box 11034
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

2. Kimberly Kuffell
16-566 Keaau – Pahoa Rd.
Suite 188-519
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

3. June Conant
2760 Medford Way
Menifee, CA 92586

This witness is expected to testify concerning the issues of liability and damages.

4. Jennifer Myers
HC 2 Box 6425
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

5. Jon Loehndorf
P.O. Box 1364
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

6. Aaron Oya
Hawaii District Office USPS
3600 Aolele St.
Honolulu, HI 96820-3600

This witness is expected to testify concerning the issues of liability and damages.

7. Patrick Murdoch
HC 1 Box 5285
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

8. Karin (Kari) Hoffman
HC 1 Box 5243
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

9. Jeff Finley
P.O. Box 184
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

10. Jeffrey Kaye
HC 2 Box 6916
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

11. Tanya Sever
HC 1 Box 4119
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

12. Ben Leslie
HC 1 Box 4119
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages

13. Alexa von Aleman
HC 1 Box 2561
Keaau, HI 96749

This witness is expected to testify concerning the issues of liability and damages.

14. Nicole Craig
1507 Cochrane Road
Suite 160-33
Morgan Hill, CA 95037

This witness is expected to testify concerning the issues of liability and damages.

Defendants reserve the right to call (a) Any and all witnesses, whether designated as non-expert or expert, identified in (1) the Pretrial Statement(s), Responsive Pretrial Statement(s), Settlement Conference Statement(s), Final Naming of Witnesses or any other pleading or amendments of any party to this action and/or (2) Answers to Interrogatories, Responses to Requests for Production of Documents or any other discovery 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.

B. EXPERT WITNESSES

1. John A. Morris, Esq.
Ekimoto & Morris
888 Mililani St., 2nd Floor
Honolulu, HI 96813-2918

HOA AND 421J EXPERT. This witness is expected to testify regarding conditions and definitions of a planned community association under HRS 421J, fiduciary duties, and other liability topics.

Defendants reserve the right to call as expert witnesses (a) Any and all witnesses, whether designated as non-expert or expert, identified in (1) the Pretrial Statement(s), Responsive Pretrial Statement(s), Settlement Conference Statement(s), Final Naming of Witnesses or any other pleading or amendments of any party to this action and/or (2) Answers to Interrogatories, Responses to Requests for Production of Documents or any other discovery 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.

DATED: Honolulu, Hawai‘i, October 29, 2024.

/s/ James R. Ferguson
JAMES SHIN
JAMES R. FERGUSON
BARRON T. ODA
Attorneys for Defendants
HAWAIIAN PARADISE PARK OWNERS
ASSOCIATION, KARIN HOFFMAN,
and JEFFREY FINLEY

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Third-Party Defendant.

Civil No. 3CCV-23-0000302 (Hilo Division)
(Declaratory Judgment)

CERTIFICATE OF SERVICE

638-050COS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was duly served by
depositing the same in the United States Mail, postage prepaid [M], hand-delivery [HD],
facsimile transmission [F], electronic mail [EM], or Judiciary Electronic Filing System [JEFS] to
the following on October 29, 2024:

NICOLE CRAIG
1057 Cochrane Road, Suite 160-33
Morgan Hill, California 95037

[JEFS]

Plaintiff *pro se*

JEFFREY DANIEL LAU, ESQ.
KURT K. LEONG, ESQ.
Jeffrey Daniel Lau and Associates, AAL, LLC
1164 Bishop St., Suite 1201
Honolulu, Hawaii 96813
jlau@jdl-hawaii.com
kleong@jdl-hawaii.com

[JEFS]

Attorney for Third-Party Defendant
WATUMULL INVESTMENT CO., LLC

DATED: Honolulu, Hawai'i, October 29, 2024.

/s/ James R. Ferguson
JAMES SHIN
JAMES R. FERGUSON
BARRON T. ODA
Attorneys for Defendants
HAWAIIAN PARADISE PARK OWNERS
ASSOCIATION, KARIN HOFFMAN,
and JEFFREY FINLEY