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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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at 4 o'clock and 10 min. M
WALTER A.Y.H. CHINN, CLERK

Attorney for Prospective Amicus Curiae
Kamehameha Schools Association of Teachers & Parents,
Kamehameha Schools Faculty Association,
Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association—Board of Presidents,
Kamehameha Schools Alumni Association—Oahu Region,
and Na Pua a Ke Ali'i Pauahi, Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JOHN DOE, a minor, by his mother
and next friend, JANE DOE,

Plaintiff,

v.

KAMEHAMEHA SCHOOLS/
BERNICE PAUAHI BISHOP
ESTATE; and CONSTANCE H.
LAU, NAINOA THOMPSON,
DIANE J. PLOTTS, ROBERT K.U.
KIHUNE, and J. DOUGLAS ING,
in their capacities as Trustees of the
Kamehameha Schools/Bernice
Pauahi Bishop Estate,

Defendants.

CIVIL NO. 03-00316 ACK-LEK

)
) KAMEHAMEHA SCHOOLS
) ASSOCIATION OF TEACHERS &
) PARENTS, KAMEHAMEHA
) SCHOOLS FACULTY ASSOCIATION,
) NA KUMU O KAMEHAMEHA,
) KAMEHAMEHA SCHOOLS ALUMNI
) ASSOCIATION—BOARD OF
) PRESIDENTS, KAMEHAMEHA
) SCHOOLS ALUMNI ASSOCIATION—
) OAHU REGION, AND NA PUA A KE
) ALI'I PAUAHI INC.'S **MOTION FOR**
) **LEAVE TO FILE AMICUS CURIAE**
) **BRIEF; EXHIBIT A; CERTIFICATE**
) **OF SERVICE**

)
) NON-HEARING MATTER

)
) JUDGE: Honorable Alan C. Kay

KAMEHAMEHA SCHOOLS ASSOCIATION OF TEACHERS & PARENTS,
KAMEHAMEHA SCHOOLS FACULTY ASSOCIATION, NA KUMU O
KAMEHAMEHA, KAMEHAMEHA SCHOOLS ALUMNI ASSOCIATION—
BOARD OF PRESIDENTS, KAMEHAMEHA SCHOOLS ALUMNI
ASSOCIATION—OAHU REGION AND NA PUA A KE ALI'I PAUAHI INC.'S
MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF

Kamehameha Schools Association of Teachers & Parents,
Kamehameha Schools Faculty Association, Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association—Board of Presidents, Kamehameha
Schools Alumni Association—Oahu Region, and Na Pua a Ke Ali'i Pauahi, Inc.
(hereafter referred to collectively as “the Ohana Council”) hereby move this Court
for leave to file the attached amicus curiae brief (Exhibit A) in the above-entitled
case.

The Ohana Council has a very strong interest in the outcome of this
case. Although each organization within the Ohana Council is unique in its role
and focus within the Kamehameha *ohana*, or family, each group shares the vision
and embraces the challenge of Princess Bernice Pauahi Bishop. Working together
with Kamehameha Schools' students, teachers, administrators, and alumni, the
Ohana Council strives to the enrich the legacy of Princess Pauahi by advocating for
the best education possible for the children of Kamehameha in an environment
focused on producing Native Hawaiian men and women who will become leaders
and make positive contributions to the communities. By teaching Hawaiian
culture and/or nurturing pride in that culture through Kamehameha Schools, the

members of the Ohana Council seeks to inspire and train Native Hawaiian children to be the “good and industrious men and women” necessary to restore the health and well-being of all Native Hawaiians.

A ruling invalidating Kamehameha Schools’ Admission Policy would be devastating to the Ohana Council’s work in helping to educate the Native Hawaiian beneficiaries of Princess Pauahi’s will. Such a ruling would, in essence, destroy the legacy of Princess Pauahi and the mission of Kamehameha Schools. Kamehameha Schools, through the grace and foresight of Princess Pauahi, exists for one purpose: to educate Native Hawaiian children first and prevent the very extinction of the Hawaiian people.

The Ohana Council has organized a petition drive, collecting more than 83,950 signatures of Native Hawaiians and non-Native Hawaiians from across the country. Each of those persons has attested that they “support Kamehameha Schools’ policy of giving admissions preference to applicants of Hawaiian ancestry which improves the capability and well-being of Hawaiian and benefits the Hawai’i community at large.” Consequently, the Ohana Council is advocating on behalf of the people of the State of Hawaii who have a strong interest in upholding the Kamehameha Schools Admissions Policy because they believe it benefits Hawaii’s community at large. Specifically, Kamehameha Schools’ educational programs play an essential role in ending the cycle of unemployment, poverty, sickness, hopelessness, and early death faced by far too many Native Hawaiians.

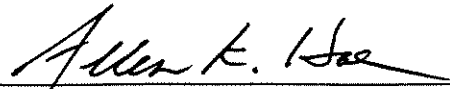
That tragic cycle has real costs for everyone in the Hawaii community, and the entire Hawaii community would benefit from reversing the cycle. Moreover, Kamehameha Schools plays a significant role in Hawaii's community by promoting and preserving the Native Hawaiian culture so essential to the rebirth and revitalization of the Hawaiian people. In turn, the people of Hawaii, both Native Hawaiians and non-Native Hawaiians, benefit if the Native Hawaiian culture and heritage can continue as a developing and vibrant part of Hawaii's community. In sum, the people of the State of Hawaii view the preservation of Kamehameha Schools' Admission Policy as a matter of public interest.

Members of Ohana Council recognize that amicus briefs are not ordinarily submitted at the district court level. But this is no ordinary case—this is truly a case of first impression, one that will affect all of the citizens of Hawaii. Because the Kamehameha Schools' Admission Policy is a matter of public interest, the Ohana Council believes that its amicus curiae brief will assist the Court as it weighs all the facts and circumstances of this unique case.

As Hawaii's community has a strong interest in seeing that Kamehameha Schools' Admission Policy be upheld, the Ohana Council respectfully ask this Court to allow it to file the attached amicus curiae brief in

support of the Kamehameha Schools' Admissions Policy.

DATED: Honolulu, Hawaii, November 6, 2003.



ALLEN K. HOE

Attorney for Prospective Amicus Curiae
Kamehameha Schools Association of
Teachers & Parents,
Kamehameha Schools Faculty Association,
Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association
— Board of Presidents,
Kamehameha Schools Alumni Association
— Oahu Region,
and Na Pua a Ke Ali'i Pauahi, Inc.

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Kamehameha Schools Alumni Association—Board of Presidents,
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JOHN DOE, a minor, by his mother
and next friend, JANE DOE,

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BERNICE PAUHI BISHOP
ESTATE; and CONSTANCE H.
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) AMICUS CURIAE BRIEF OF THE
) KAMEHAMEHA SCHOOLS
) ASSOCIATION OF TEACHERS &
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) ASSOCIATION, NA KUMU O
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) SCHOOLS ALUMNI ASSOCIATION
) — BOARD OF PRESIDENTS,
) KAMEHAMEHA SCHOOLS
) ALUMNI ASSOCIATION—OAHU
) REGION AND NA PUA A KE ALI'I
) PAUHI, INC.; DECLARATION OF
) JAN E. HANO HANO DILL;
) EXHIBITS 1-2
)
) Date: _____
) Time: _____
) Judge: Honorable Alan C. Kay

AMICUS CURIAE BRIEF OF KAMEHAMEHA SCHOOLS
ASSOCIATION OF TEACHERS & PARENTS, KAMEHAMEHA SCHOOLS
FACULTY ASSOCIATION, NA KUMU O KAMEHAMEHA, KAMEHAMEHA
SCHOOLS ALUMNI ASSOCIATION—BOARD OF PRESIDENTS,
KAMEHAMEHA SCHOOLS ALUMNI ASSOCIATION—OAHU REGION
AND NA PUA A KE ALI’I PAUAHI, INC.

I. INTRODUCTION

Kamehameha Schools Association of Teachers & Parents,
Kamehameha Schools Faculty Association, Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association—Board of Presidents, Kamehameha
Schools Alumni Association—Oahu Region, and Na Pua a Ke Ali’i Pauahi, Inc.
(hereafter referred to collectively as “the Ohana Council”) respectfully submit this
amicus curiae brief in support of the Kamehameha Schools’ Admission Policy, and
the Kamehameha Schools Trustees’ Motion for Summary Judgment in this case.

As set forth below, each member of the Ohana Council has a strong
interest in the perpetuation of Kamehameha Schools’ mission and the legacy of
Princess Bernice Pauahi Bishop, and, accordingly, each has a strong interest in the
outcome of this case:

1. **Kamehameha Schools Association of Teachers and Parents**
— an organization of parents, legal guardians, sponsors, teachers, staff, and
administrators committed to perpetuating the legacy and vision of Princess Pauahi
and helping Kamehameha Schools’ students become “life-long learners and
contributing members of their Hawaiian community and society.”

2. **Kamehameha Schools Faculty Association (“KSFA”)—** representing Kamehameha Schools’ teachers in accordance with the National Labor Relations Act, KSFA exists to articulate the professional concerns of Kamehameha Schools’ teachers, to express their strength and pride, and—in partnership with the trustees, administration, and parents—to place the educational needs of the students above all others;

3. **Na Kumu O Kamehameha**—a group of Kamehameha Schools faculty, staff, and administrations, promoting educational excellence and professional integrity by honoring the distinctive culture, traditions, and history of Kamehameha Schools;

4. **Kamehameha Schools Alumni Association Board of Presidents**—representing Kamehameha Schools alumni located in thirteen (13) regions including the State of Hawaii, Alaska, the Continental United States and in countries abroad, these alumni associations through the Board of Presidents seek to perpetuate Princess Pauahi’s legacy, to support programs benefiting the health, civic, economic, educational, and moral welfare of the community at large and Native Hawaiians, and to preserve and perpetuate the native culture of Hawaii;

5. **Kamehameha Schools Alumni Association—Oahu Region**—representing Kamehameha alumni located on the Island of Oahu, KSAA-Oahu Region was founded around 1910. Its mission statement states: “Considering that

all of Kamehameha's alumni have partaken of the Princess' dream to improve the social welfare of her people, this alumni organization cannot deny the fact that our larger responsibility also lies in the need for us to uplift our own communities."

6. **Na Pua a Ke Alii Pauahi, Inc.**—a non-profit founded in 1997, Na Pua's mission is to support the Kamehameha Schools in providing quality education in a nurturing environment. Na Pua's mission statement reads: "As those who have received the benefit of the legacy of Ke Ali'i Pauahi, we believe that we are the beneficiaries of her estate and are morally obligated to ensure that the Kamehameha Schools continue to carry out its mandate to produce good and industrious men and women. The creation and maintenance of right relationships within the greater Kamehameha family and the larger Hawaii community is central to the accomplishment of our mission."

II. **FACTUAL BACKGROUND**

A. **More Than 83,950 Individuals Have Signed a Petition in Support of Kamehameha Schools Admission Policy**

In late August 2003, members of the Ohana Council organized a petition campaign to gather signatures in support of Kamehameha Schools' Admissions Policy, to show the broad-based community support for Kamehameha Schools and its mission of educating Native Hawaiian children.

At locations throughout the country, residents were asked if they would sign a petition reading: "I support Kamehameha Schools' policy of giving

admissions preference to applicants of Hawaiian ancestry which improves the capability and well-being of Hawaiians and benefits the Hawaii community as a whole.” The petition included an optional box, where the signer could indicate whether he or she was of Hawaiian ancestry or not.

In less than eight weeks, the Ohana Council gathered 83,950 signatures on the petition. See attached Declaration of Jan E. Hanohano Dill. The names of every person who signed the petition have been entered into a computer database, to ensure there is no “double counting” of persons who signed the petition. Id. Of the 83,950 who signed the petition and disclosed their ancestry, 56 percent, or 46,708 signatures, were of Hawaiian ancestry, and 44 percent, or 37,213 signatures, were of non-Hawaiian ancestry. Twenty-nine people did not indicate an ancestry designation. Id. Attached for the Court’s review is a representative sampling of ten original pages of the petition, each containing the name, address, ancestry, and signature of ten supporters. See Exhibit 1. All of the original petition pages are being kept and if requested could be submitted to the Court for its review, but the Ohana Council wanted to avoid burdening the Court with an excess of paper.

Blank pages of the petition were available for download on a website, and many people took the initiative to download a copy and seek signatures within their own local community. A number of those people attached personal notes

when they returned the signed petitions; a particularly touching handwritten note received on November 4, 2003 is attached as Exhibit 2. It reads:

The following are signed petitions in support of giving preference to applicants of Hawaiian ancestry.

My husband is 100 percent Hawaiian and we have had many discussions about the demise of the Hawaiian culture. I have felt very bad over what has happened to the Hawaiian people.

I feel that having a place where children can learn about their culture is vital to the survival of the Hawaiian race. I feel that any group should be able to set restrictions on who they want in their organization!! All the people on this list feel the same way I do. I can get many more if needed.

I totally support this cause and if there is anything I can do to help I would be more than happy too! . . . I do hope someday my daughter can take a summer session at Kamehameha school. Since my husband's death I do all I can to teach and expose my daughter to her Hawaiian culture.

Aloha and good luck. Julie

See Exhibit 2.

III. DISCUSSION

As the U.S. Supreme Court made clear earlier this year, “context matters” when examining the legitimacy of race-based preferences. Grutter v. Bollinger, 123 S.Ct. 2325, 2338 (2003) (stating it is “imperative that generalizations, based upon and qualified by the concrete situations that gave rise to them, must not be applied out of context in disregard of variant controlling facts”). Moreover, in holding that producing a more racially diverse leadership is a compelling reason for the use of race preferences in educational admissions, the Court stated: “In order to cultivate a set of leaders with legitimacy in the eyes of

the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity.” Grutter, 123 S.Ct. at 2341 (emphasis added).

Thus, when determining the legitimacy of any race preference, a Court must look to the entire context of unique facts, including: the historical prejudice against and deprivations of the racial group; the current social and economic struggles and suffering of the disadvantaged group; and—most important for this brief—the perception of the community in which the preference operates. One fact a Court may consider is whether the preference has “legitimacy in the eyes of the citizenry”, cf. Grutter, 123 S.Ct. at 2341; that is, whether the community in fact perceives that the preference has a legitimate remedial purpose. Such perception is particularly important where, as in this case, a private educational institution with an internal preference (guided by its founder’s will) seeks to produce good citizens and leaders who will then go out into the community at large to help Native Hawaiians achieve a better quality of life. The relevant community here, of course, is the State of Hawaii—a state with a history and tradition unlike any other in the United States.

In his Motion, Plaintiff quotes the Court’s statement at the August 19, 2003 hearing, stating that “the question (in this case) is whether (the policy) is invidious discrimination and the question is whether it’s justified.” See Plaintiff’s

Memorandum in Support, p. 10. Plaintiff then continues on, apparently completely missing the Court's point. Only illegitimate use of race, or "invidious discrimination," is barred by 42 U.S.C. § 1981. See General Building Contractors Assn. v. Pennsylvania, 458 U.S. 375, 390 n. 17 (1982). Indeed, under the Title VII analytical framework applicable to Section 1981 claims, a racial preference that is remedial in nature and reasonably designed to meet the remedial need is actually deemed a legitimate non-discriminatory reason. United Steelworkers of America v. Weber, 443 U.S. 193, 201-202 (1979).

The more than 83,950 signatures collected on the Ohana Council's petition are strong evidence that the broader Hawaii community perceives Kamehameha Schools' Admissions Policy to have a legitimate justification—i.e., that the Schools' mission of "improving the capability and well-being of Hawaiians" has "legitimacy in the eyes of the citizenry". It has such legitimacy in part because, as the petition states, improving the health and socio-economic welfare of the Native Hawaiian people "benefits the Hawaii community at large."

The Ohana Council is not suggesting this is a popularity contest. But by any measure, it is an extraordinary feat to gather more than 83,950 signatures in less than eight weeks in support of a private school admissions policy. Respectfully, in no other state in the country could you find such an overwhelming response by its citizens. By the same token, no other school in the country has the

same privilege, and heavy burden, of restoring the well-being of the state's native people.

The petition signatures collected by the Ohana Council also help distinguish Kamehameha Schools from the Runyon case Plaintiff relies on so heavily. Cf. Runyon v. McCrary, 427 U.S. 160 (1976). In Runyon, the whites-only school would not admit a Black child under any circumstance, and the very purpose of the school's admissions policy was to promote and perpetuate racial stereotypes and discrimination. In that context, Congress, the U.S. Supreme Court, and those excluded would properly view the Runyon school policy as having no legitimate purpose. By contrast, in this unique context, more than 37,213 people who are excluded from admission to Kamehameha Schools signed a petition in support of the school's Admissions Policy. Specifically, 37,213 people, or 44 percent, of those signing the petition identified themselves as non-Hawaiian. They did so because they embrace Kamehameha Schools' Admissions Policy not only as legitimate, but necessary, to restore the health and well-being of the Native Hawaiian people. Stated differently, those non-Hawaiians who supposedly are being "discriminated" against do not view Kamehameha Schools' policy as "invidious discrimination."

Members of the Ohana Council know that able counsel have submitted extensive legal authorities and arguments in support of Kamehameha Schools' policy. But the Ohana Council organized its petition drive, and submits this amicus brief, in part because it is impossible to put into words what Kamehameha Schools means to those who have benefited from Princess Pauahi's vision. Kamehameha Schools teachers see it in the pride in their students' faces as they learn about their culture; parents of Kamehameha Schools' students see it in the hope in their sons and daughters' eyes; and alumni of Kamehameha Schools see it in the heartfelt thanks they receive when they work in and "give back" to the community.

Just five years ago, members of the Ohana Council stood together to help protect Pauahi's legacy and the educational mission of Kamehameha Schools. Teachers, students, and alumni of Kamehameha Schools testified, in court, to remove a trustee who was interfering with the schools' mission. They did so without fear, because they believed with all their heart in Pauahi's legacy and the need to do what is *pono*—what is right, and just. In the public interest of Hawaii's community at large, members of the Ohana Council now respectfully and humbly

ask the Court to do what is *pono*, and preserve the Admissions Policy of Kamehameha Schools—not for their sake, but for the generations of Hawaiian children to come.

DATED: Honolulu, Hawaii, November 6, 2003.



ALLEN K. HOE

Attorney for Amicus Curiae
Kamehameha Schools Association of
Teachers & Parents,
Kamehameha Schools Faculty Association,
Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association
— Board of Presidents,
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) CIVIL NO. 03-00316 ACK-LEK

)

) DECLARATION OF JAN E.

) HANOHANO DILL

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DECLARATION OF JAN E. HANOHANO DILL

I, JAN E. HANOHANO DILL, hereby state:

1. I am a graduate of the Kamehameha Schools, Class of 1961, and
President of Na Pua a Ke Ali'i Pauahi, Inc.

2. The Ohana Council is an affiliation of beneficiary groups who
work together to sustain and improve the legacy of Princess Pauahi, through
Kamehameha Schools. The Ohana Council includes Kamehameha Schools
Association of Teachers & Parents, Kamehameha Schools Faculty Association, Na

Kumu O Kamehameha, Kamehameha Schools Alumni Association—Board of Presidents, Kamehameha Schools Alumni Association—Oahu Region, and Na Pua a Ke Ali'i Pauahi, Inc.

3. In late August 2003, members of the Ohana Council organized a petition campaign to gather signatures in support of Kamehameha Schools' Admissions Policy, to show the broad-based community support for Kamehameha Schools and its mission of educating Native Hawaiian children.

4. At locations throughout the country, residents were asked if they would sign a petition reading: "I support Kamehameha Schools' policy of giving admissions preference to applicants of Hawaiian ancestry which improves the capability and well-being of Hawaiians and benefits the Hawaii community as a whole." The petition included an optional box, where the signer could indicate whether he or she was of Hawaiian ancestry or not.

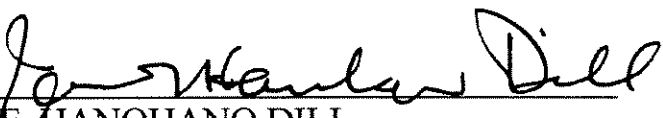
5. In less than eight weeks, the Ohana Council gathered 83,950 signatures on the petition. The names of every person who signed the petition have been entered into a computer database, to ensure there is no "double counting" of persons who signed the petition. Of the 83,950 who signed the petition and disclosed their ancestry, 56 percent or 46,708 signatures were of Hawaiian ancestry, and 44 percent or 37,213 were of non-Hawaiian ancestry. Twenty-nine people did not indicate an ancestry designation.

6. Attached for the Court's review as Exhibit 1 is a representative sampling of ten original pages of the petition, each containing the name, address, ancestry, and signature of ten supporters. All of the original petition pages are being kept by the Ohana Council and if requested could be submitted to the Court for its review, but the Ohana Council wanted to avoid burdening the Court with an excess of paper.

7. Blank pages of the petition were available for download on a website, and many people took the initiative to download a copy and seek signatures within their own local community. A number of those people attached personal notes when they returned the signed petitions. Attached hereto as Exhibit 2 is a true and correct copy of a handwritten note received on November 4, 2003.

I, JAN E. HANO HANO DILL declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, November 6, 2003.


JAN E. HANO HANO DILL

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

Justin

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry?		Signature
			Yes	No	
1	Margaret de los Santos	4127 E. Ave.		✓	Margaret de los Santos
2	Iris Faulkner	Milani, HI		✓	Iris Faulkner
3	Denise L. Weatherford	St. Vincent's Hospital		X	Denise L. Weatherford
4	Dennis Hinch	Shriners Home	✓		Dennis Hinch
5	Cindy Tamayo	Shriners Hosp		✓	Cindy Tamayo
6	Desiree Nagtalon	Orea, HI		✓	Desiree Nagtalon
7	Jenny Dooling	3909 Raina Top Drive		✓	Jenny Dooling
8	Trisha HQ	94-820 Lumiquay St. #A101 Waipahu, HI 96797		✓	Trisha HQ
9	Karisa Look	1953 B Makiki St Honolulu HI 96822		✓	Karisa Look
10	Nam Quach	1403 Makiki St Honolulu HI 96814		✓	Nam Quach
11					

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

Dustin

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry?		Signature
			Yes	No	
1	SHIRLEY PAPA	2421 Aiea St Pearl City, HI 96782		☒	<i>Shirley PAPA</i>
2	Carol Brang	802 Haukua Dr. Honolulu HI 96821		☒	<i>Carol Brang</i>
3	ELAIE LAGAZO-PEREZ	94-819 HOHUA Place WAIKAKA, HI 96797		☒	<i>Elaine Lagazo-Perez</i>
4	Linda Vincent	888 Aiea St. Honolulu HI 96825		☒	<i>Linda Vincent</i>
5	John Ren	91-1975 Kaimosi Ewa Beach HI 96726	☒		<i>John Ren</i>
6	Glenn Matsumoto	1504 N King St Hon 96817		☒	<i>Glenn Matsumoto</i>
7	Nicole Fernandez	2621 Aiea Ave St Honolulu HI 96822	☒		<i>Nicole Fernandez</i>
8	Kristin Jones	1310 Punahou St. Honolulu HI 96836		☒	<i>Kristin Jones</i>
9	Richard Chou	1340 Fumanan St Hon, HI 96826		☒	<i>Richard Chou</i>
10	Angela Chabonne	4725 Bonyville #371 Honolulu, HI 96818		☒	<i>Angela Chabonne</i>
11					

DATE: _____

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry? (Optional)		Signature
			Yes	No	
1.	KYMAN YONGMINE	938 Makama Place		☒	K. Yman Yongmine
2.	idareen Shimizu	907 Pau Kulu Dr De		☒	Idareen Shimizu
3.	ZOEY WEI2EA	44-1225 KAHANA LP		☒	Zoei Wei2ea
4.	Lance Nishihara	1454 Ala Pu maku St.		☒	Lance Nishihara
5.	Faye Hamaquacki	98-150 Kaaunalo Hl.		☒	Faye Hamaquacki
6.	HARRY KURISU	74 Kilani AVE.		☒	Harry Kurisu
7.	Kellen Kurisu	74 Kilani AVE.		☒	Kellen Kurisu
8.	Logan Nishihara	1454 Ala Pu maku St		☒	Logan Nishihara
9.	Troy Souza	99-151 Peewela Dr		☒	Troy Souza
10.	Shay Villaverde	188 Kaaunaloa Pl		☒	Shay Villaverde

Please return by November 1, 2003 to:

Kamehameha Schools
Communications Division
567 So. King Street, Suite #301
Honolulu, HI 96813
Fax: #541-5305

DATE

10/28/03

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I support Kamehameha Schools' policy of giving admissions preference to applicants of Hawaiian ancestry which improves the capability and well-being of Hawaiians and benefits the Hawai'i community at large.

No	Name	Address	Are you of Hawaiian Ancestry? (optional)		Signature
1	Nally Kumura	94-1045 Kaputani St	Yes	No	Nally Kumura
2	Megan Talbot	91-221 Euc Beach Rd		☒	Mel Talbot
3	Natalie Rungo	94 103 Lulu St		☒	Natalie Rungo
4	Bridget Ortiz	91-533 Fort Weaver Rd. 91-916 Euc Beach Rd		☒	Bridget Ortiz
5	BRENCE SAMSON	91-176 Kapiolani Dr.		☒	Brence Samson
6	LEONORA MILITANTE	91-1042 Kuleia St.		☒	Leonora Militante
7	Shirley Muebasani	98-1012 Oluia St.		☒	Shirley Muebasani
8	Kristine Tillman	91541 Aikana Dr		☒	Kristine Tillman
9	Sharon Souza	91108C Kani St L.B.	☒		Sharon Souza
10	Monica O'Brien	91-268 Euc Beach Rd	☒		Monica O'Brien

MAHALO NUI LOA!

Please return by November 1, 2003 to: Kamehameha Schools Communications Division
567 So. King Street, Suite #301, Honolulu, Hawaii 96813
or FAX to (808) 541-5305

DATE: _____

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry? (optional)		Signature
			Yes	No	
1	Chaninan K. Naki	48-154 Waiakole Vly Rd.	Yes		Chaninan K. Naki
2	Cynthia W. Nagamine	98-3042 Kaanunani St. P.C.		No	Cynthia W. Nagamine
3	Audrey A. Ho	98-544 Kilihu Loop, Aiea		✓	Audrey A. Ho
4	Samantha Ussis	92-1025 Olaka St #1201 Kapolei		✓	Samantha Ussis
5	Corinne Luna	86-419 Papahau Pl, Waianae	✓		Corinne Luna
6	Kay Yonemai	95-211 Waialea St Mililani		✓	Kay Yonemai
7	Lirio Nagam	94-119 Poalan Way, Waikele		✓	Lirio Nagam
8	JERRY MAGUI	11 . 11 11		✓	J. Magui
9	Leon McCre	94-101 Poalan Way		✓	L. McCre
D	Mary Jane Suebide	94-101 Poalan Way, Waikele		✓	Mary Jane Suebide

Please return by November 1, 2003 to

Kamehameha Schools
Communications Division
567 So. King Street, Suite. #301
Honolulu, HI 96813
Fax: #541-5305

DATE: _____

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry? (Optional)		Signature
			Yes	No	
1.	DEBORAH HARRIS	41-1013 Kono St. Kaneohe			Deborah Harris
2.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe			David Wilson
3.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe	☒		David Wilson
4.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe		☒	David Wilson
5.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe			David Wilson
6.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe	☒		David Wilson
7.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe		☒	David Wilson
8.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe	☒		David Wilson
9.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe		☒	David Wilson
10.	DAVID B. WILSON	41-00 Kalahele Ave. Kaneohe			David Wilson

Please return by November 1, 2003 to:
 Kamehameha Schools
 Communications Division
 567 So. King Street, Suite #301
 Honolulu, HI 96813
 Fax: #541-5305

DATE: 10/16/05

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry? (Optional)		Signature
			Yes	No	
1.	Linnea Lord	1510 Leanihokuna Ave Molokai, HI 96759		✓	Linnea Lord
2.	Luis Pazoal	7122 Kawaena Kauai, HI 96855		✓	Luis Pazoal
3.	Jessica Calilao	1929 Waiho Pl Honolulu, HI 96819		✓	Jessica Calilao
4.	Ken Hasegawa	1031 Nanea Ave #1202 Honolulu, HI 96817		✓	Ken Hasegawa
5.	Janet Smith	3102 Naaleale Pl Kauai, HI 96816		✓	Janet Smith
6.	Lynn Haff	676 Katala St. Honolulu, HI 96816		✓	Lynn Haff
7.	Derrick Kiyabu	41-772 Waiyapanua St Waimanalo, HI 96795		✓	Derrick Kiyabu
8.	Michelle Abe	258 Hoomaia St P.O. HI 96782		✓	Michelle Abe
9.	Jaaron Vahuele	45-692 Hahione Way Kauai, HI 96744		✓	Jaaron Vahuele
10.	William Twigg	P.O. Box 952 Hanalei, HI 96721	✓		William Twigg

Please return by November 1, 2003 to:

Kamehameha Schools
Communications Division
567 So. King Street, Suite #301
Honolulu, HI 96813
Fax: #541-5305

DATE: 10-6-03

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry?		Signature
			Yes	No	
1.	Erin Hughes	3611 11th Avenue, Hc Honolulu HI 96816		✓	Erin Hughes
2.	Julie Green	5301 Poole St. Hon. HI. 96821	✓		Julie Green
3.	Bernard Baldonado	86-120 Lakeview St.		X	Bernard Baldonado
4.	Rose Ramos	1554 Pali Rd. St. Hon. HI. 96817		✓	Rose Ramos
5.	Charles McNeely	3305 11th St Hon. HI 96821		✓	Charles McNeely
6.	Phillip Park	1768 Koloa St Wahiawa HI 96786		✓	Phillip Park
7.	Shirley Lee	59-476 Maunaloa Hawaii HI 96712		✓	Shirley Lee
8.	John Debra	59-712 Kaimali Honolulu HI 96713		✓	John Debra
9.	Carolea Keanini	61-152 Kaimali Pl. Honolulu		X	Carolea Keanini
10.	Marlene Baldonado	61-179 Kaimali Pl. Honolulu	X		Marlene Baldonado

Please return by November 1, 2003 to:

Kamehameha Schools
Communications Division
567 So. King Street, Suite #301
Honolulu, HI 96813
Fax: #541-5305

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

DATE: Oct 2003

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry? (optional)		Signature
			Yes	No	
1	Margie Orimoto	918 A Road Pearl City, HI 96787		☒	Margie Orimoto
2	James Loring	94-1068 Kikakaiki Dr #18 Napali, HI 96797		☒	James Loring
3	Shawn Smith	7485 Leomona Ave Kapeli, HI 96757		☒	Shawn Smith
4	Scott S Campbell	94-505 Ala Puna Waiwaha, HI 96797		☒	Scott S Campbell
5	Mary K. Young	800 Third Street Honolulu, HI 96813	☒		Mary K. Young
6	Shirley Kikagawa	322 Holo Kua Rd Wahiawa, HI 96786		☒	Shirley Kikagawa
7	Chayola Abo	1365 Kamehameha Pk Pearl City, HI 96782		☒	Chayola Abo
8	Aiko Sugai	88-1745 A Leachman Rd Aiea, HI 96701		☒	Aiko Sugai
9	Yoshie Goto	114 N Kamehameha St #1001 Honolulu, HI 96813		☒	Yoshie Goto
10	Shawn Smith	800 Third Street Honolulu, HI 96813		☒	Shawn Smith

Please return by November 1, 2003 to

Kamehameha Schools
Communications Division
567 So. King Street, Suite #301
Honolulu, HI 96813
Fax: #541-5305

DATE: Sept 2003

COMMUNITY PETITION TO SUPPORT KAMEHAMEHA SCHOOLS' ADMISSIONS POLICY

I SUPPORT KAMEHAMEHA SCHOOLS' POLICY OF GIVING ADMISSIONS PREFERENCE TO APPLICANTS OF HAWAIIAN ANCESTRY WHICH IMPROVES THE CAPABILITY AND WELL-BEING OF HAWAIIANS AND BENEFITS THE HAWAII COMMUNITY AT LARGE.

No.	Name (Print)	Address	Hawaiian Ancestry?		Signature
			Yes	No	
1	(Mrs) Yuriko Kabeeta	1212 Kuanani Dr #1911 Honolulu Hawaii 96817		☒	<i>Yuriko Kabeeta</i>
2	Chiaki Okamura	55 S. Judd St #1107 Honolulu, HI 96817		☒	<i>Chiaki Okamura</i>
3	Francis M. Suganuma	46-176 Hiliamae St. Kaneohe, HI 96744		☒	<i>Francis M. Suganuma</i>
4	Karen S.Y. Ching	647 Kuanani Ln, 313 Honolulu, HI 96817		☒	<i>Karen S.Y. Ching</i>
5	Koydeni. Kaito	94-1186 Nanihilihi St. Wahiatahi, HI 96797		☒	<i>Koydeni Kaito</i>
6	Jonathan Christad	45-320 Mahalani St Kaneohe, HI 96744	☒		<i>Jonathan Christad</i>
7	Clyde HAGA	1367 Moloiki St. HON. HI. 96825		☒	<i>Clyde HAGA</i>
8	PAT LIO	94-1011 KAMIKI ST WAIPIAHU HI 96797		☒	<i>Pat Lio</i>
9		1852 A Waiwae Ave Honolulu HI 96712		☒	<i>Angela E. Williams</i>
ID	Cheryl Kaelma	95093 Waimanalo Dr, Kailua, HI 96789		☒	<i>Cheryl Kaelma</i>

Please return by November 1, 2003 to

Kamehameha Schools
Communications Division
567 So. King Street, Suite #301
Honolulu, HI 96813
Fax: #541-5305

Letter sent w/ faxed
petitions 11/04/03 P. 81

Aloha,

The following are signed petitions in support of giving preference to applicants of Hawaiian Ancestry.

My husband is 100% Hawaiian and we have had many discussions about the demise of the Hawaiian culture. I have felt very bad over what has happened to the Hawaiian people.

I feel that having a ~~place~~ place where children can learn about their culture is vital to the survival of the Hawaiian race. I feel that any group should be able to set restrictions on who they want in their organization!!

All the people on this list feel the same way I do. I can get many more if needed.

I totally support this cause and if there is anything I can do to help I would be more than happy too!

My name Julie Lukela

530-477-0887

e-mail biglimomama@yahoo.com

I do hope someday my daughter can ~~that~~ take a summer session at Kamehameha school. Since my husbands death I do all I can to teach and expose my daughter to ~~her~~ Hawaiian culture.

Aloha and Good Luck

Julie

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN DOE, a minor, by his mother	)	CIVIL NO. 03-00316 ACK-LEK
and next friend, JANE DOE,	)	
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
v.	)	
	)	
KAMEHAMEHA SCHOOLS/	)	
BERNICE PAUAHI BISHOP	)	
ESTATE; and CONSTANCE H.	)	
LAU, NAINOA THOMPSON,	)	
DIANE J. PLOTTS, ROBERT K.U.	)	
KIHUNE, and J. DOUGLAS ING,	)	
in their capacities as Trustees of the	)	
Kamehameha Schools/Bernice	)	
Pauahi Bishop Estate,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	
	)	
	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was duly served on each of the following persons by depositing the same in the U.S. mail, first class postage prepaid, on November 6, 2003, addressed as follows:

DAVID SCHULMEISTER, ESQ.
KELLY G. LaPORTE, ESQ.
Cades Schutte Fleming & Wright
1000 Bishop Street, Suite 1200
Honolulu, Hawaii 96813

CRYSTAL K. ROSE, ESQ.
BRUCE D. VOSS, ESQ.
Alii Place, 16th Floor
1099 Alakea Street
Honolulu, Hawaii 96813

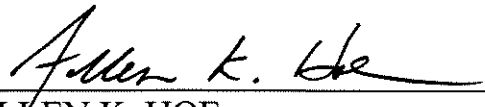
Attorneys for Defendants
CONSTANCE H. LAU, NAINOA THOMPSON,
DIANE J. PLOTTS, ROBERT K.U. KIHUNE, AND
J. DOUGLAS ING, IN THEIR CAPACITIES AS TRUSTEES
OF THE ESTATE OF BERNICE PAUAHI BISHOP
DBA KAMEHAMEHA SCHOOLS

JOHN W. GOEMANS, ESQ.
Post Office Box 2849
Kamuela, Hawaii 96743

ERIC GRANT, ESQ.
JAMES F. SWEENEY
Sweeny & Grant LLP
1527 "I" Street
Sacramento, California 95814

Attorneys for Plaintiff
JOHN DOE, a minor, by his mother
and next friend, JANE DOE,

DATED: Honolulu, Hawaii, November 6, 2003.



ALLEN K. HOE

Attorney for Prospective Amicus Curiae
Kamehameha Schools Association of
Teachers & Parents,
Kamehameha Schools Faculty Association,
Na Kumu O Kamehameha,
Kamehameha Schools Alumni Association
— Board of Presidents,
Kamehameha Schools Alumni Association
— Oahu Region,
and Na Pua a Ke Ali'i Pauahi, Inc.