

## RESPONDENT'S LIST OF WITNESSES & SUMMARY OF TESTIMONIES

<u>NAME OF WITNESS</u>	<u>ADDRESS OF WITNESS</u>	<u>TESTIMONY</u>
<u>HENRY H. PETERS,</u> <u>RICHARD S. H. WONG,</u> <u>LOKELANI LINDSEY,</u> <u>OSWALD STENDER,</u> <u>GERARD JERVIS, ROBERT</u> <u>K.U. KIHUNE, RONALD D.</u> <u>LIBKUMAN, REV. DAVID P.</u> <u>COON, FRANCIS A. KEALA,</u> <u>J. DOUGLAS ING,</u> <u>CONSTANCE H. LAU,</u> <u>DIANE J. PLOTTS,</u> <u>C. NAINOA THOMPSON,</u> Trustees of Kamehameha Schools. Parties to the Settlement Agreement in Case No. 99- 04339, U.S. Bankruptcy Court for the District of Hawaii.	Kamehameha Schools 567 S. King Street Suite 310 Honolulu, HI 96813	These witnesses are expected to testify as to the facts and circumstances of the settlement and the actions taken by Respondent subsequent to entering into the Settlement Agreement, including the breaches of the Agreement. They will also be asked to verify the authenticity of the signatures of the three unidentified interim-trustees on the Settlement Agreement, and to testify as to the facts and circumstances as regards to why they, and not the former trustees who were the Defendants in Harmon's RICO lawsuit, were the signatories to the Settlement Agreement.
<u>HAMILTON McCUBBIN</u> Former CEO of Kamehameha Schools and recipient of many of Harmon's letters at issue in this arbitration.	Kamehameha Schools 567 S. King Street Suite 310 Honolulu, HI 96813	This witness is expected to testify as to the facts and circumstances of Harmon's "letter-writing campaign," and the actions taken as a result of Harmon's disclosures of wrongdoing at Kamehameha Schools.
<u>TERRY MULLEN</u> CEO/President, John Mullen & Co., one of the parties to the Settlement Agreement.	John Mullen & Company P.O. Box 2096 Honolulu, HI 96803	This witness is expected to testify as to the facts and circumstances leading to the Agreement, as related to their role as the independent claims adjuster for P&C Insurance Company, Inc., and to tax-related issues.

## RESPONDENT'S LIST OF WITNESSES & SUMMARY OF TESTIMONIES

<u>NAME OF WITNESS</u>	<u>ADDRESS OF WITNESS</u>	<u>TESTIMONY</u>
<u><a href="#">J.P. SCHMIDT</a></u> Insurance Commissioner, State of Hawaii	Department of Insurance P.O. Box 3614 Honolulu, HI 96811	This witness is expected to testify as to licensing of Clyde Mark, Pres. of P&C Insurance Co., and Matt Tsukazaki, attorney for Kamehameha Schools and P&C Insurance Co. are licensed Claims Adjusters; and regarding Respondent's Complaints to the Dept. of Insurance regarding Federal & P&C Insurance.
<u><a href="#">CLYDE MARK</a></u> President of P&C Insurance Company, Inc.	Kamehameha Schools 567 S. King Street Suite 310 Honolulu, HI 96813	This witness is expected to testify as to the fact of whether or not he is a licensed Claims Adjuster for P&C Insurance Co., Inc.
<u><a href="#">MATT A. TSUKAZAKI</a></u> , Esq. Attorney for Kamehameha Schools and P&C Insurance Company; purported Claims Adjuster for P&C Insurance Company.	700 Bishop Street 15th Floor Honolulu, HI 96813	This witness is expected to testify as to the fact of whether or not he is a licensed Claims Adjuster for P&C Insurance Co., Inc., and as to the facts of the Settlement Agreement and the reasons why the law firm of Torkildson, Katz, Fonseca, Jaffe, Moore & Hetherington was not a signatory to the Settlement Agreement. He is also expected to testify and produce an Attorney of Record letter evidencing that his firm was legally appointed by Kamehameha Schools, and Federal Insurance Co to represent them in Harmon's RICO lawsuit and in the settlement negotiations which led to the Settlement Agreement, and to tax-related issues.
<u><a href="#">ROCCO SANSONE</a></u> ,	745 Fort Street, Suite 1100,	This witness is expected to

## RESPONDENT'S LIST OF WITNESSES & SUMMARY OF TESTIMONIES

<u>NAME OF WITNESS</u>	<u>ADDRESS OF WITNESS</u>	<u>TESTIMONY</u>
Officer, Marsh & McLennan Companies, insurance broker for Kamehameha Schools and P&C Insurance Company.	Honolulu, HI 96813	testify as to the facts and circumstances of the settlement and the procedures and authorities of the claims adjusters for P&C Insurance Company.
<b><u>BRADLEY R. TAMM, Esq.</u></b> Former Attorney for Bobby Harmon in the instant Bankruptcy case.	828 Fort Street Mall Suite 330 Honolulu, HI 96183	This witness is expected to testify as to the circumstances regarding the Settlement, Release and Indemnification Agreement which was approved by the Bankruptcy Court on March 24, 2000, the tax-related issues, Harmon's "letter-writing campaign" and other related issues.
<b><u>MICHELLE H. TUCKER, CPA</u></b> Accountant for the Bankruptcy Estate.	820 Mililani Street 4 <sup>th</sup> Floor Honolulu, HI 96813	This witness is expected to testify as to the tax-related issues presented in this arbitration.
<b><u>LOUANNE L. KAM, Esq.</u></b> Attorney for Kamehameha Schools	Kamehameha Schools 567 S. King Street Suite 310 Honolulu, HI 96813	This witness is expected to testify as to her actions involving the handling of the settlement negotiations which led to the Settlement Agreement, the tax-related issues, and the actions taken by Kamehameha Schools as a result of Respondent's "letter-writing campaign".
<b><u>ROY F. HUGHES, Esq.</u></b> Attorney for Respondent in P&C Insurance Company, Inc., et al, vs. Bobby N. Harmon, Civ. No. 97-0512-02.	1000 Bishop St., Suite 300 Honolulu, HI 96813	This witness is expected to testify as to the facts and circumstances of the settlement, including his efforts to obtain Attorney of Record letters and investigate possible fraud.
<b><u>KENNETH HIPP, Esq.</u></b>	1001 Bishop Street	This witness is expected to

## RESPONDENT'S LIST OF WITNESSES & SUMMARY OF TESTIMONIES

<u>NAME OF WITNESS</u>	<u>ADDRESS OF WITNESS</u>	<u>TESTIMONY</u>
Marr, Hipp, Jones & Pepper Purported attorney for Defendants Henry H. Peters, Richard S.H. Wong, Lokelani Lindsey, Gerard Jervis and Oswald Stender, Trustees of the Estate of Bernice Pauahi Bishop, in Harmon's RICO lawsuit.	Ste. 1550, Pauahi Tower Honolulu, HI 96813	testify as to the facts and circumstances of the settlement, and to provide evidence, in the form of an Attorney of Record letter or similar document, that he was authorized to represent these individuals in the settlement.
<b><u>JEFFREY H.K. SIA, Esq.</u></b> Ayabe, Chong, Nishimoto, Sia & Nakamura Purported attorney for Defendant P&C Insurance Company in Harmon's RICO lawsuit.	1001 Bishop Street Ste. 2500, Pauahi Tower Honolulu, HI 96813	This witness is expected to testify as to the facts and circumstances of the settlement, and to provide evidence, in the form of an Attorney of Record letter or similar document, that he was properly authorized to represent P&C Insurance Company in the settlement.
<b><u>ROBERT S. KATZ, Esq.</u></b> Atty. For Defendant Torkildson, Katz, Fonseca, Jaffe, Moore & Hetherington in Harmon's RICO lawsuit.	700 Bishop Street 15th Floor Honolulu, HI 96813	This witness is expected to testify as to the facts and circumstances of the settlement, possible conflicts- of-interest involved with Torkildson, Katz being concurrently a Defendant in Harmon's RICO lawsuit and attorney for Kamehameha Schools/Bishop Estate in related lawsuits. He will also be asked to furnish evidence that Torkildson Katz was properly authorized to act on behalf of Federal Insurance Co. and P&C Insurance Co. to negotiate settlement in this case, and to testify regarding the tax-related issues.
<b><u>MARY LOU WOO,</u></b> Claimant & Ch. 7 Trustee in	c/o Steven Guttman, Esq. Kessner, Duca, Umehayashi,	This witness is expected to testify as to the facts and

## RESPONDENT'S LIST OF WITNESSES & SUMMARY OF TESTIMONIES

<u>NAME OF WITNESS</u>	<u>ADDRESS OF WITNESS</u>	<u>TESTIMONY</u>
Case No. 99-04339	Bain & Matsunaga 220 South King St., 19 <sup>th</sup> Flr. Honolulu, HI 96813	circumstances of the settlement and the actions taken by Respondent subsequent to his signing of the Agreement, including tax-related issues; and conflicts-of-interests issues involving Susan Tius, Steven Guttman, and others.
<b><u>STEVEN GUTTMAN, Esq.</u></b> Attorney for Mary Lou Woo, Claimant, and Chapter 7 Trustee in No. 99-04339	Kessner, Duca, Umebayashi, Bain & Matsunaga 220 So. King St., 19 <sup>th</sup> Flr. Honolulu, HI 96813	This witness is expected to testify as to the facts of the settlement, including breaches of the Agreement, tax-related issues, conflicts-of-interest and other issues.
<b><u>ARNOLD T. PHILLIPS, Esq.</u></b> Attorney for Plaintiff Bobby N. Harmon in the RICO lawsuit.	1188 Bishop St., Ste. 3003 Honolulu, HI 96813	This witness is expected to testify as to the facts and circumstances of the settlement, including possible fraud in the settlement negotiations and execution of the Agreement.

DATED: Louisville, Kentucky, September 26, 2003

---

Bobby N. Harmon  
Respondent, pro se