



REC'D DEC 14 1999

KAMEHAMEHA SCHOOLS BERNICE PAUHI BISHOP ESTATE

VIA FACSIMILE: 586-1239
AND FIRST-CLASS MAIL

December 9, 1999

Earl I. Anzai, Attorney General
State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813

Re: *Request for Position concerning Declaratory Judgment Lawsuits filed by
Federal Insurance Company and Marion M. Lindsey*

Dear Mr. Anzai:

This will respond to letters dated November 15, and 30, 1999 from you and your staff to the Trustees requesting their position on the appropriateness of intervening in declaratory judgment lawsuits filed in federal district and state circuit courts ("the Lawsuits"). Your requests were thoroughly reviewed and discussed with staff, retained counsels and the Trustees. It was concluded that intervention in these lawsuits is not in the best interest of KSBE.

As you know, KSBE filed on November 2, 1999 a Petition for Instructions concerning Estate Liability Insurance and Related Matters ("the Petition") in Equity No. 2048. The Petition was filed before the Lawsuits. Also, the Petition was either served and/or sent to the parties in the Lawsuits. The Petition seeks clarification of various issues relating to the insurance coverage being sought by some or all of the Incumbent Trustees. KSBE has informed the Special Master, Michael Tanoue, of the Lawsuits.

Though, we appreciate your inquiry, KSBE believes it has undertaken diligent and prudent efforts to have these issues raised and resolved in the appropriate forum.

Very truly yours,

Colleen I. Wong
Acting General Counsel

CIW:lkkl

EXHIBIT 6

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cc: Robert K. U. Kihune, Trustee
Ronald D. Libkuman, Trustee
Constance H. Lau, Trustee
David P. Coon, Trustee
Francis A. Keala, Trustee
Dorothy Sellers, Esq.
Hugh R. Jones, Esq.

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