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12 Attorneys for Defendants and Cross-  
13 Defendants KAMEHAMEHA SCHOOLS/  
BERNICE PAUAHI BISHOP ESTATE; J.  
14 DOUGLAS ING, NAINOA THOMPSON,  
DIANE J. PLOTTS, ROBERT K.U. KIHUNE,  
15 and CORBETT A.K. KALAMA, in their  
capacities as Trustees of the Kamehameha  
16 Schools/Bernice Pauahi Bishop Estate

17 UNITED STATES DISTRICT COURT

18 EASTERN DISTRICT OF CALIFORNIA

19 ERIC GRANT,

20 Plaintiff,

21 v.

22 KAMEHAMEHA SCHOOLS/BERNICE  
PAUAHI BISHOP ESTATE; J. DOUGLAS  
ING, NAINOA THOMPSON, DIANE J.  
23 PLOTTS, ROBERT K.U. KIHUNE, and  
CORBETT A.K. KALAMA, in their capacities  
24 as Trustees of the Kamehameha  
Schools/Bernice Pauahi Bishop Estate; JOHN  
25 DOE; and JANE DOE,

26 Defendants.

27 And Related Cross and Counterclaims.  
28

No. 08-00672 FCD-KJM

DECLARATION OF BRAD SANTIAGO  
IN SUPPORT OF KAMEHAMEHA  
SCHOOLS DEFENDANTS' MOTION  
TO DISMISS

Date: October 31, 2008

Time: 10:00 a.m.

Courtroom: 2

Before: Hon. Frank C. Damrell, Jr.

1 I, Brad Santiago, declare as follows:

2 1. I am the Senior Asset Manager of Kamehameha Schools/Bernice Pauahi Bishop  
3 Estate (“KS”).

4 2. I make this declaration based upon my personal knowledge and knowledge  
5 obtained through my review of KS’s business records, and I am competent to testify to the  
6 matters stated in this declaration.

7 3. KS is a private, tax-exempt K-12 educational institution in Hawai`i. It was  
8 created under the last will and testament of Princess Bernice Pauahi Bishop, the last royal  
9 descendant of King Kamehameha I of Hawai`i, who left her property in trust for a school  
10 dedicated to the education and upbringing of native Hawaiians. KS operates three K-12  
11 campuses and 30 preschools, all in the State of Hawai`i.

12 4. KS does not own or lease any real or personal property in California. KS  
13 formerly owned real property in Riverside County which it acquired through a deed in lieu of  
14 foreclosure. It sold this property in June 2003, before the lawsuit against KS by the Does was  
15 settled.

16 5. KS has no agent for service of process in California.

17 6. KS is not registered to do business in California.

18 7. KS maintains no employees or offices in California.

19 8. None of KS’ trustees, officers or administrators is a citizen of California.

20 9. KS is not incorporated in California or licensed to do business in California.

21 10. KS maintains a website which is accessible by users worldwide, including  
22 California. However, the website is not maintained to serve California in particular and the  
23 website allows no business transactions to be performed.

24 11. I understand that counsel for Eric Grant and John Doe and Jane Doe in this action  
25 cite a scholarship available to students from Northern California as evidence that KS has ties to  
26 California. The scholarship in question is not offered by KS. It was created and donated by the  
27 Kamehameha Schools Alumni Association of Northern California, a separate and independent  
28 legal entity that is neither owned nor controlled by KS.

1 I declare under penalty of law that the foregoing is true and correct.

2 DATED: Honolulu, Hawai`i, July 3, 2008.

3  
4 /s/ Brad Santiago

5 BRAD SANTIAGO

6 (original signature retained by Paul Alston)  
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