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FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

SEP 22 2003  
 at o'clock and min. M  
 WALTER A.Y.H. CHINN, CLERK

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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

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAI'I

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

APPLICATION OF KATHLEEN  
 M. SULLIVAN TO APPEAR PRO  
 HAC VICE; CONSENT OF DAVID  
 SCHULMEISTER;  
 DECLARATION OF KATHLEEN  
 M. SULLIVAN; ORDER  
 PERMITTING KATHLEEN M.  
 SULLIVAN TO APPEAR PRO  
 HAC VICE; CERTIFICATE OF  
 SERVICE


EXHIBIT 3

**APPLICATION OF KATHLEEN M. SULLIVAN  
TO APPEAR PRO HAC VICE**

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, (collectively, the "Schools"), respectfully submit this application on behalf of Kathleen M. Sullivan for admission to appear and to participate pro hac vice on behalf of the Schools in the above-captioned action. This application is submitted pursuant to Local Rule 83.1(e) of the Local Rules of Practice for the United States District Court for the District of Hawai'i, and is supported by the attached written Consent of David Schulmeister and Declaration of Kathleen M. Sullivan.

DATED: Honolulu, Hawai'i, September 18, 2003.

CADES SCHUTTE  
A Limited Liability Law Partnership

  
\_\_\_\_\_  
DAVID SCHULMEISTER  
KELLY G. LaPORTE  
W. KEONI SHULTZ

CRYSTAL K. ROSE  
BRUCE D. VOSS

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

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAI'I

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and next friend, JANE DOE,

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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

**CONSENT OF DAVID  
SCHULMEISTER**

**CONSENT OF DAVID SCHULMEISTER**

Pursuant to Local Rule 83.1(e) of the Local Rules of Practice for the United States District Court for the District of Hawai'i, David Schulmeister, a partner of the law firm of Cades Schutte and a member in good standing of the Hawai'i bar and of the bar of this Court, hereby consents to serve as associate counsel with Kathleen M. Sullivan for the purposes set forth in his declaration, to which this consent is attached. My office address is Cades Schutte, 1000 Bishop

Street, 12th Floor, Honolulu, Hawai'i 96813, and my office telephone number is  
(808) 521-9200.

DATED: Honolulu, Hawaii, September 18, 2003.

  
\_\_\_\_\_  
DAVID SCHULMEISTER

UNITED STATES DISTRICT COURT

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

**DECLARATION OF KATHLEEN  
M. SULLIVAN**

**DECLARATION OF KATHLEEN M. SULLIVAN**

I, Kathleen M. Sullivan, declare as follows:

1. I am Dean of Stanford Law School, and also am a professor of constitutional law at Stanford Law School. My office address is: 599 Nathan Abbott Way, Stanford, California 94305-8610. My residence address is: 676 Mayfield Avenue, Stanford, California 94305.

2. I am admitted to practice in each of the following courts:

<u>Court</u>	<u>Date of Admission</u>
U.S. Supreme Court	July 1985
U.S. Court of Appeals - Ninth Circuit	June 1994
U.S. Court of Appeals - Eleventh Circuit	June 1994
U.S. Court of Appeals - Second Circuit	May 1985
U.S. Court of Appeals - First Circuit	September 1983
U.S. District Court – Massachusetts	October 1983
U.S. District Court – E.D. New York	June 1982
U.S. District Court – S.D. New York	June 1982
U.S. Court of Federal Claims	November 1994
Commonwealth of Massachusetts	February 1988
State of New York	June 1982

3. I am an attorney in good standing and eligible to practice in all such courts.

4. I have never been suspended or disbarred in any court.

5. I have been requested by 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 (collectively, the "Schools"), to apply to this Court for permission to appear in this matter for the purpose of participating with the law firm of Cades Schutte in all aspects of this case.

6. I am not regularly employed in the State of Hawai'i, nor am I regularly engaged in business, professional, or law-related activities in the State of Hawai'i.

7. I am concurrently making a pro hac vice application in this Court in Brayden Mohica-Cummings v. Kamehameha Schools, Civ. No. 03-00441 DAE BMK that is pending. That case is related to this case in that it involves the same alleged violations of 42 U.S.C. § 1981 by the same defendants and is being prosecuted by the same counsel for plaintiffs. I am not concurrently applying to appear pro hac vice in any other cases, and, other than the Mohica-Cummings lawsuit, I have not within the year preceding this application made any pro hac vice application in this Court or in any other court in the State of Hawai'i.

8. I designate David Schulmeister of the law firm of Cades Schutte, co-counsel for the Schools in the above-entitled matter, as a member of the bar of this Court with whom this Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers may be served.

9. I respectfully request that I be admitted to practice before this Court for the purpose of appearing and participating in this particular case.

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

DATED: Honolulu, Hawai'i, September 17, 2003.



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KATHLEEN M. SULLIVAN



UNITED STATES DISTRICT COURT

DISTRICT OF HAWAI'I

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,  
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capacities as Trustees of the  
Kamehameha Schools/Bernice Pauahi  
Bishop Estate,

Defendants.

CIVIL NO. 03-00316 ACK-LEK

**ORDER PERMITTING  
KATHLEEN M. SULLIVAN TO  
APPEAR PRO HAC VICE**

**ORDER PERMITTING KATHLEEN M. SULLIVAN  
TO APPEAR PRO HAC VICE**

The Application of Kathleen M. Sullivan to Appear Pro Hac Vice, and  
the Consent of David Schulmeister and the Declaration of Kathleen M. Sullivan,  
having been brought before the Court and the Court being fully advised in the  
circumstances;

IT IS HEREBY ORDERED that said Application is granted and that Kathleen M. Sullivan is permitted to appear and participate in all aspects of this case.

DATED: Honolulu, Hawai'i, SEP 22 2003.

LESLIE E. KOBAYASHI  
Judge of the Above-Entitled Court

John Doe v. Kamehameha Schools/Bernice Pauahi Bishop Estate, et al., Civil No. 03-00316 ACK-LEK; Order Permitting Kathleen M. Sullivan to Appear Pro Hac Vice

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAI'I

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,  
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capacities as Trustees of the  
Kamehameha Schools/Bernice Pauahi  
Bishop Estate,

Defendants.

CIVIL NO. 03-00316 ACK-LEK

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was served on this day by United States mail, postage prepaid, to the following persons at their last-known addresses:

JOHN W. GOEMANS, ESQ.  
P.O. Box 2849  
Kamuela, Hawaii 96743


and

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

Attorneys for Plaintiffs

DATED: Honolulu, Hawai'i, September 18, 2003.

CADES SCHUTTE  
A Limited Liability Law Partnership

  
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