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12
 13 Attorneys for Defendants and Cross-
 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,
 v.
 21 KAMEHAMEHA SCHOOLS/BERNICE
 22 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 PAUL ALSTON IN
 SUPPORT OF THE KAMEHAMEHA
 SCHOOLS DEFENDANTS AND
 CROSS-DEFENDANTS' MOTION TO
 FILE CONFIDENTIAL AGREEMENTS
 UNDER SEAL; EXHIBITS 23 AND 24

Date: October 31, 2008
 Time: 10:00 a.m.
 Courtroom: 2
 Before: Hon. Frank C. Damrell, Jr.

FILED UNDER SEAL

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I, Paul Alston, declare as follows:

1. I am a partner in the law firm of Alston Hunt Floyd & Ing, co-counsel in this action for Defendants and Cross-Defendants Kamehameha Schools/Bernice Pauahi Bishop Estate and J. Douglas Ing, Nainoa Thompson, Diane J. Plotts, Robert K.U. Kihune, and Corbett A.K. Kalama in their capacities as Trustees of the Kamehameha Schools/Bernice Pauahi Bishop Estate (collectively "KS").

2. I make this declaration based upon personal knowledge and am competent to testify to the matters stated in this declaration.

3. On June 19 and 21, 2008, counsel for Jane Doe and John Doe produced in response to KS' informal discovery request a redacted Settlement and Mutual Release Agreement between the Does and their lawyer Eric Grant ("Settlement Agreement"), as well as Exhibit A to the Settlement Agreement, which is a redacted letter agreement between the Does and John Goemans.

4. A true and correct copy of the Settlement Agreement which we received from Mr. Stein is attached as Exhibit 23.

5. A true and correct copy of Exhibit A to the Settlement Agreement which we received from Mr. Stein is attached as Exhibit 24.

6. Pursuant to the Stipulated Protective Order entered into between counsel for the parties in this action and filed on June 16, 2008, Mr. Stein informed us that these documents are designated as confidential. He also consented today to our filing them with the Court with a Motion to File Under Seal.

1 7. Both agreements related to attorneys' fee arrangements between Jane and
2 John Doe and their lawyers and are therefore arguably covered by the attorney-client privilege.
3 The agreements also deal with sensitive financial information. Accordingly, we do not dispute
4 the Does' designation of these documents as confidential.

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

6 DATED: Honolulu, Hawai'i, July 9, 2008.

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/s/ Paul Alston
PAUL ALSTON
(original signature retained by Paul Alston)

1 PROOF OF SERVICE

2 I am over 18 years of age, not a party to this action and employed in the County
3 of San Francisco, California at Three Embarcadero Center, San Francisco, California 94111-
4 4067. I am readily familiar with the practice of this office for collection and processing of
5 correspondence for mailing with the United States Postal Service and correspondence is
6 deposited with the United States Postal Service that same day in the ordinary course of business.

7 Today I served the attached:

8 **DECLARATION OF PAUL ALSTON IN SUPPORT OF THE**
9 **KAMEHAMEHA SCHOOLS DEFENDANTS AND CROSS-**
10 **DEFENDANTS' MOTION TO FILE CONFIDENTIAL**
11 **AGREEMENTS UNDER SEAL; EXHIBITS 23 AND 24**

12 by causing a true and correct copy of the above to be placed in the United States Mail at San
13 Francisco, California in sealed envelope(s) with postage prepaid, addressed as follows:

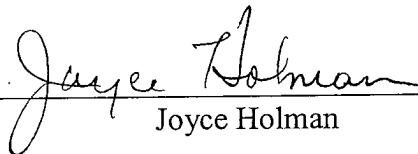
14 Eric Grant, Esq.
15 Attorney at Law
16 8001 Folsom Boulevard, Suite 100
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22 Sacramento, CA 95814

Ken T. Kuniyuki, Esq.
Kuniyuki & Chang
Suite 2660, Pauahi Tower
1003 Bishop Street
Honolulu, HI 96813-3429

23 I declare that I am employed in the office of a member of the bar of this court at
24 whose direction the service was made and that this declaration was executed on July 9, 2008.

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Joyce Holman