1	UNITED STATES DISTRICT COURT	
2	EASTERN DISTRICT OF CALIFORNIA	
3	ERIC GRANT,	No. 08-00672 FCD-KJM
4	Plaintiff, v.	DECLARATION OF PAUL ALSTON IN SUPPORT OF THE KAMEHAMEHA
5	KAMEHAMEHA SCHOOLS/BERNICE	SCHOOLS DEFENDANTS AND CROSS-CLAIM DEFENDANTS'
6	PAUAHI BISHOP ESTATE; J. DOUGLAS ING, NAINOA THOMPSON, DIANE J.	MOTION TO TRANSFER TO DISTRICT OF HAWAII PURSUANT
7	PLOTTS, ROBERT K.U. KIHUNE, and CORBETT A.K. KALAMA, in their capacities	TO 28 U.S.C. § 1404
8	as Trustees of the Kamehameha Schools/Bernice Pauahi Bishop Estate; JOHN	Date: October 31, 2008 Time: 10:00 a.m.
9	DOE; and JANE DOE, Defendants.	Courtroom: 2 Before: Hon. Frank C. Damrell, Jr.
10	And Related Cross and Counterclaims.	
11		
12	<u>DECLARATION OF PAUL ALSTON IN SUPPORT OF THE KAMEHAMEHA</u> SCHOOLS DEFENDANTS AND CROSS-CLAIM DEFENDANTS' MOTION TO	
13	TRANSFER TO DISTRICT OF HAWA	<u>A'I PURSUANT TO 28 U.S.C. § 1404</u>
14 15	I, Paul Alston, declare as follows:	
15	1. I am a shareholder and director in the law firm of Alston Hunt Floyd &	
16 17	Ing, co-counsel in this action for defendants and cross-claim defendants Kamehameha	
17 19	Schools/Bernice Pauahi Bishop Estate and J. Douglas Ing, Nainoa Thompson, Diane J. Plotts,	
18	Robert K.U. Kihune, and Corbett A.K. Kalama in their capacities as Trustees of the	
19 20	Kamehameha Schools/Bernice Pauahi Bishop Estate (collectively "KS").	
20	2. I make this declaration based upon personal knowledge and am competent	
21	to testify to the matters stated in this declaration.	
22 23	3. On October 21, 2008, Eric Grant and I appeared before Magistrate Judge	
23 24	Barry M. Kurren to argue a motion in <i>Jacob Doe v. Kamehameha Schools</i> , Civ. No. 08-00359	
24 25	MJS-BMK (D. Haw.). That case involves a challenge to KS's admissions preference policies	
25 26	which is identical to the one that Mr. Grant and Mr. Goemans pursued on behalf of John Doe and	
26 27	Jane Doe in the case underlying the Settlement Ag	greement. If this case were transferred to
27 28		
40		

Hawai`i, KS would do everything reasonably possible to coordinate discovery and hearing
schedules to reduce the number of trips Mr. Grant would have to make to Hawai`i.

3	4. On October 23, 2008, John Goemans and Ken Kuniyuki, one of the Does'		
4	counsel, placed a joint call to me. In that call, which was recorded as a voicemail, Mr.Goemans		
5	(whose voice I recognized from past conversations) said he has been in a hospital in Los Angeles		
6	for the last month and he remains in the hospital. Earlier today (October 24, 2008), I received		
7	another call from Mr. Goemans and Mr. Kuniyuki. Mr. Goemans said, among other things, that		
8	he is still in the hospital; that he does not know when he will leave; and that he intends to stay in		
9	California. He also said that he was admitted to the hospital shortly after he traveled from		
10	Hawai'i (where he had been living for a month or two) to California to participate in a deposition		
11	(as the witness).		
12	5. On October 23, 2008, I viewed the website of the Hawai`i State Bar		
13	Association and confirmed that John Goemans remains an active member of the Hawai'i bar.		
14	See Exhibit 1, attached. The address reflected in the records of the bar association is "120 S.		
15	Reeves Dr. Beverly Hills, California." That, apparently, is the address of the Beverly Hills		
16	Reeves Hotel. See Exhibit 2, attached (a true and correct copy of a page from the website of		
17	"trip advisor.com," which was found in response to "Googling" that address).		
18	I declare under penalty of law that the foregoing is true and correct.		
19	DATED: Honolulu, Hawai`i, October 24, 2008.		
20			
21	/s/ Paul Alston		
22	PAUL ALSTON (original signature retained by Paul Alston)		
23			
24			
25			
26			
27			
28			