

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF CALIFORNIA

3 ERIC GRANT,
4 Plaintiff,
5 v.
6 KAMEHAMEHA SCHOOLS/BERNICE
7 PAUAAHI BISHOP ESTATE; J. DOUGLAS
8 ING, NAINOA THOMPSON, DIANE J.
9 PLOTTS, ROBERT K.U. KIHUNE, and
CORBETT A.K. KALAMA, in their capacities
as Trustees of the Kamehameha
Schools/Bernice Pauahi Bishop Estate; JOHN
DOE; and JANE DOE,
Defendants.

10 And Related Cross and Counterclaims.
11

No. 08-00672 FCD-KJM

DECLARATION OF PAUL ALSTON IN
SUPPORT OF THE KAMEHAMEHA
SCHOOLS DEFENDANTS AND
CROSS-CLAIM DEFENDANTS'
MOTION TO TRANSFER TO
DISTRICT OF HAWAII PURSUANT
TO 28 U.S.C. § 1404

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

12 **DECLARATION OF PAUL ALSTON IN SUPPORT OF THE KAMEHAMEHA**
13 **SCHOOLS DEFENDANTS AND CROSS-CLAIM DEFENDANTS' MOTION TO**
14 **TRANSFER TO DISTRICT OF HAWAII PURSUANT TO 28 U.S.C. § 1404**

14 I, Paul Alston, declare as follows:

15 1. I am a shareholder and director in the law firm of Alston Hunt Floyd &
16 Ing, co-counsel in this action for defendants and cross-claim defendants Kamehameha
17 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 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 3. On October 21, 2008, Eric Grant and I appeared before Magistrate Judge
23 Barry M. Kurren to argue a motion in *Jacob Doe v. Kamehameha Schools*, Civ. No. 08-00359
24 MJS-BMK (D. Haw.). That case involves a challenge to KS's admissions preference policies
25 which is identical to the one that Mr. Grant and Mr. Goemans pursued on behalf of John Doe and
26 Jane Doe in the case underlying the Settlement Agreement. If this case were transferred to
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