

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

MARTIN J. WALSH, Secretary of)
Labor, United States)
Department of Labor,)
)
Plaintiff,)

CIVIL NO. 18-00155 SOM-WRP
ORDER RE. NOTICE TO ALL
PARTICIPANTS LISTED IN ECF
NO. 695-1

vs.)

BRIAN BOWERS, an individual;)
DEXTER C. KUBOTA, an)
individual; BOWERS + KUBOTA)
CONSULTING, INC., a)
corporation; BOWERS + KUBOTA)
CONSULTING, INC. EMPLOYEE)
STOCK OWNERSHIP PLAN,)
)
Defendants.)

ORDER RE. NOTICE TO ALL PARTICIPANTS LISTED IN ECF NO. 695-1

On September 20, 2022, the Secretary of Labor filed an Unopposed Motion to Enter [a] Proposed Agreed Order. See ECF No. 695. Exhibit A, ECF No. 695-1, to the motion sets forth a proposed allocation of settlement amounts to 101 individuals, ranging from zero to more than \$47,000. See *id.* Before this court enters any order determining the amounts that are to be allocated to the various individuals, it asks the Secretary of Labor to inform this court no later than September 27, 2022, whether the 101 individuals have been informed of the proposed allocation. If that has not occurred, the Secretary of Labor must immediately inform each of the 101 individuals listed in Exhibit A of the amount allocated to that individual and of how

that amount was calculated. The Secretary shall also provide each individual with a copy of this order.

This court notes that the Secretary has described the pending motion as unopposed. This court nevertheless gives the affected individuals an opportunity to address that assertion. Each individual shall have until October 11, 2022, to file comments with this court concerning the amount allocated to that individual. This means that any objection shall reach this court by October 11, 2022. Objections shall be addressed to:

United States District Court for the District of Hawaii
300 Ala Moana Blvd, C-338
Honolulu, Hawaii 96850

Any objection shall have on the top of the first page,

Walsh v. Heritage, 18cv155 SOM/WRP
Objection to allocation for (insert name).

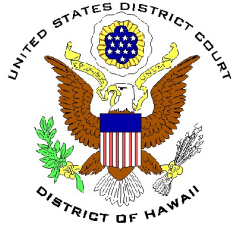
The objection, which will be scanned and electronically filed by the court, shall explain in detail the basis of the objection. If an individual timely objects to an amount allocated in ECF No. 695-1, the Secretary of Labor shall have until October 28, 2022, to explain why the allocated amount is correct.

An individual with no objection need not take any action. If no timely objection is received by this court from an

individual listed in ECF No. 695-1, the court will deem the amount allocated to the individual to be unopposed.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, September 20, 2022.



/s/ Susan Oki Mollway
Susan Oki Mollway
United States District Judge

Walsh v. Heritage, et al., Civ. No. 18-00155 SOM-WRP; ORDER RE. NOTICE TO ALL PARTICIPANTS LISTED IN ECF NO. 695-1