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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

JAMES DANNENBERG and SARAH
PREBLE, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

STATE OF HAWAI'I, COUNTY OF
KAUA'I, CITY AND COUNTY OF
HONOLULU, COUNTY OF MAUI,
COUNTY OF HAWAI'I, HAWAI'I
EMPLOYER-UNION HEALTH BENEFITS
TRUST FUND, BOARD OF TRUSTEES OF
THE HAWAI'I EMPLOYER-UNION
HEALTH BENEFITS TRUST FUND,
DOES 1–10,

Defendants.

CIVIL NO. 06-1-1141-06 JPC

FINAL JUDGMENT

Trial:

Judge: Honorable Jeffrey P. Crabtree

Phase One

Date: November 3, 2021

Phase Two

Date: May 22, 2023

FINAL JUDGMENT

On December 28, 2017, Plaintiffs JAMES DANNENBERG and SARAH PREBLE, individually and on behalf of all others similarly situated (“**Plaintiffs**”), filed their Third Amended and Supplemental Complaint for Declaratory Relief, Injunctive Relief, and Damages [Dkt. 303], asserting the following claims:

1. First Claim for Relief – Declaratory Relief;
2. Second Claim for Relief – Injunctive Relief;
3. Third Claim for Relief – Breach of Contract;
4. Fourth Claim for Relief – Negligence; and
5. Fifth Claim for Relief – Breach of Fiduciary Duty.

Phase 1 of the jury-waived trial in this matter was held remotely via Zoom over ten trial days in November and December, 2021 before the Honorable Jeffrey P. Crabtree. The Court issued its Amended Findings of Fact and Conclusions of Law (Phase 1) [Dkt. 2295] on May 12, 2023.

Phase 2 of the jury-waived trial in this matter was held over nineteen trial days in May, June, July, August, September, and October, 2023 before the Honorable Jeffrey P. Crabtree. The Court issued its *Amended and Final* Findings of Fact and Conclusions of Law (Phase 2) on January 30, 2024. */jpc*

Pursuant to Rules 54 and 58 of the Hawai‘i Rules of Civil Procedure and based on the reasoning set forth in this Court’s Findings of Fact and Conclusions of Law (Phase 1) and *Amended and Final* Findings of Fact and Conclusions of Law (Phase 2), */jpc*

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is entered in favor of Defendants STATE OF HAWAI‘I, COUNTY OF KAUA‘I, CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF HAWAI‘I, HAWAI‘I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND, BOARD OF TRUSTEES OF THE HAWAI‘I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND (“**Defendants**”) and against Plaintiffs as follows, and in accordance with the Amended Findings of Fact and Conclusions of Law (Phase 1) and *Amended and Final* Findings of Fact and Conclusions of Law (Phase 2): */jpc*

1. Plaintiffs’ First Claim for Relief – Declaratory Relief is DENIED and judgment is entered in favor of Defendants and against Plaintiffs;
2. Plaintiffs’ Second Claim for Relief – Injunctive Relief is DENIED and judgment is entered in favor of Defendants and against Plaintiffs;
3. Plaintiffs’ Third Claim for Relief – Breach of Contract is DENIED and judgment is entered in favor of Defendants and against Plaintiffs;

4. Plaintiffs' Fourth Claim for Relief – Negligence is DENIED and judgment is entered in favor of Defendants and against Plaintiffs;

5. Plaintiffs' Fifth Claim for Relief – Breach of Fiduciary Duty DENIED and judgment is entered in favor of Defendants and against Plaintiffs; and

6. To the extent any claims are made solely against Defendants COUNTY OF KAUAI, CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, and COUNTY OF HAWAI'I ("County Defendants"), the Court DENIES all claims made against the County Defendants for the reasons set forth in its Findings of Fact and Conclusions of Law (Phase 2).

7. All other claims, counterclaims, cross-claims or claims of any nature not identified above are hereby DENIED.

This is a Final Judgment entered pursuant to Rule 58, Hawai'i Rules of Civil Procedure, and is based on the Court's express determination that there are no remaining claims, that there is no reason for delay, and the court's express direction for the entry of judgment. There are no remaining parties and/or issues and the Final Judgment herein is a complete resolution of this matter.

DATED: Honolulu, Hawaii, January 30, 2024

/s/ Jeffrey P. Crabtree



JUDGE OF THE ABOVE-ENTITLED COURT

James Dannenberg, et al. vs. State of Hawai'i, et al.; Civil No. 06-1-1141-06 JPC; In the Circuit Court of the First Circuit, State of Hawai'i; FINAL JUDGMENT

APPROVED AS TO FORM:

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James Dannenberg, et al. vs. State of Hawai'i, et al.; Civil No. 06-1-1141-06 JPC; In the Circuit
Court of the First Circuit, State of Hawai'i; FINAL JUDGMENT