

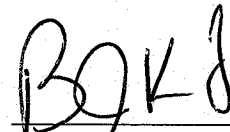
NOTICE OF CROSS-APPEAL

Pursuant to Hawaii Revised Statutes Chapter 641 and Hawaii Rule of Appellate Procedure 3 and 4.1, notice is hereby given that Plaintiff-Appellee ARYN NAKAOKA, individually and on behalf of all others similarly situated, cross-appeal to the Hawaii Intermediate Court of Appeal of the State of Hawaii and to the Hawaii Supreme Court from the Judgment entered herein on June 2, 2011, which is attached as Exhibit 1 hereto.

Plaintiff-Appellee-Cross Appellant submits that the Judgment should be affirmed in all respects. However, in the event that the matter is remanded for a new trial, Plaintiff-Appellee-Cross Appellant cross appeals from certain prejudgment rulings on the issue of damages made final by the June 2, 2011 judgment.

Defendant-Appellant HILTON HAWAIIAN VILLAGE, LLC, d.b.a. HILTON HAWAIIAN VILLAGE BEACH RESORT AND SPA, filed its notice of appeal on August 12, 2011.

DATED: Honolulu, Hawaii, August 26, 2011



JOHN FRANCIS PERKIN
BRANDEE J.K. FARIA
JAMES J. BICKERTON
Attorneys for Appellants,
JASON KAWAKAMI,
individually and on behalf of
all others similarly situated

FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2011 JUN -2 AM 8: 19

PERKIN & FARIA

JOHN F. PERKIN #1673
BRANDEE J.K. FARIA #6970
Topa Financial Center
700 Bishop Street, Suite 1111
Honolulu, Hawaii 96813
Telephone: (808) 523-2300
Facsimile: (808) 697-5302

F. OTAKE
CLERK

AND

BICKERTON LEE DANG & SULLIVAN

JAMES J. BICKERTON 3085
GEORGE W. ASHFORD, JR. 641
Topa Financial Center, Fort Street Tower
745 Fort Street, Suite 801
Honolulu, HI 96813
Telephone: (808) 599-3811/Facsimile: (808) 533-2467

Attorneys for Plaintiff ARYN NAKAOKA,
individually and on behalf of a class of similarly
situated persons.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

ARYN NAKAOKA, individually and on behalf of
a Class of Similarly Situated Persons,

Plaintiff,

vs.

HILTON HAWAIIAN VILLAGE, LLC, d.b.a.
HILTON HAWAIIAN VILLAGE BEACH
RESORT AND SPA, and DOE DEFENDANT
1-50,

Defendant.

CIVIL NO. 08-1-2512-12 VLC
(Class Action)

FINAL JUDGMENT

Judge: Honorable Virginia L. Crandall
Trial Date: January 24, 2011

FINAL JUDGMENT

Pursuant to the Verdict returned by the jury and placed on the record on February 3, 2011,
in the amount of \$112,478.44, and pursuant to HRS §480-13(a)(1), Final Judgment is hereby

PLEASE NOTE CHANGES

EXHIBIT 1

entered in favor of the Plaintiff Class and against the Defendant HILTON HAWAIIAN VILLAGE, LLC, d b a. HILTON HAWAIIAN VILLAGE BEACH RESORT AND SPA in the amount of \$337,435.32, together with the previously awarded reasonable attorneys' fees, General Excise Tax on said fees, and costs in the amount of ~~\$362,442.61~~ ^{\$ 362,174.72}, for a total Final Judgment against Defendant in the amount of ~~\$699,877.93~~ ^{\$699,610.04}.

This Final Judgment resolves all claims as to all issues between the parties in this action.

There is no just reason for delay and, upon filing, final judgment shall be final and appealable.

Any and all remaining claims, if any, are dismissed with prejudice.

Y 3 1 2011

DATED: Honolulu, Hawaii

VIRGINIA LEA CRANDALL



THE HONORABLE VIRGINIA L. CRANDALL
JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

\ REFUSED TO SIGN \

RICHARD RAND
MELANIE MITO MAY

Attorneys for Defendant
HILTON HAWAIIAN VILLAGE, LLC