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**FIRST CIRCUIT**  
**1CCV-25-0000467**  
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Attorneys for Plaintiffs & the Proposed Class

IN THE CIRCUIT COURT FOR THE FIRST CIRCUIT

STATE OF HAWAII

CHRISTOPHER HARDY and JANET  
MAYERLE, *individually and on behalf of all  
others similarly situated,*

Plaintiffs,

v.

PACIFIC GUARDIAN LIFE INSURANCE  
COMPANY, LTD.,

Defendant.

Case No.: 1CCV-25-0000467 (JJK)

*/s/ JJK*

**ORDER GRANTING (1)  
PLAINTIFFS' MOTION FOR AWARD OF  
ATTORNEYS' FEES, REIMBURSEMENT  
OF EXPENSES, AND SERVICE AWARDS  
FOR CLASS REPRESENTATIVES [DKT.  
26] AND (2) PLAINTIFFS' UNOPPOSED  
MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT [DKT.  
29]; EXHIBIT "A"**

**HEARING:**

**Date: January 13, 2026**

**Time: 9:00 a.m.**

**Judge: Hon. Jordon J. Kimura**

**Trial Date: None**

**ORDER GRANTING (1) PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS'  
FEES, REIMBURSEMENT OF EXPENSES, AND SERVICE AWARDS FOR CLASS  
REPRESENTATIVES [DKT. 26] AND (2) PLAINTIFFS' UNOPPOSED MOTION  
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT [DKT. 29]**

*Plaintiffs' Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Service  
Awards for Class Representatives, filed November 6, 2025 [Dkt. 26] (the "Fees Motion") and*

*Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement*, filed December 29, 2025 [Dkt. 29] (the "Motion for Final Approval") came on for hearing before the Honorable Jordon J. Kimura on January 13, 2026 at 9:00 a.m.

Robert M. Hatch, Esq. and Noelle E. Chan, Esq. appeared in person on behalf of CHRISTOPHER HARDY and JANET MAYERLE, individually and on behalf of all others similarly situated ("Plaintiffs"). Craig K. Shikuma, Esq. appeared in person on behalf of PACIFIC GUARDIAN LIFE INSURANCE COMPANY, LTD. ("Defendant").

The Court, not being required to conduct a trial on the merits of the case or to determine with certainty the factual and legal issues in dispute when determining whether to approve a proposed class action settlement;

The Court makes the findings and conclusions hereinafter set forth for the limited purpose of determining whether the settlement should be approved as being fair, reasonable, adequate under Hawai'i Rules of Civil Procedure Rule 23 and in the best interests of the Settlement Class; and

The Court, having reviewed and considered the Settlement Agreement and the Fees Motion and Motion for Final Approval, and service awards to the Plaintiffs and having conducted a Final Fairness Hearing, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. *Plaintiffs' Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Service Awards for Class Representatives*, filed November 6, 2025 [Dkt. 26] is GRANTED;
2. *Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement*, filed December 29, 2025 [Dkt. 29] is GRANTED;

3. The settlement involves allegations set forth in Plaintiffs' Class Action Complaint, filed March 20, 2025 [Dkt. 1] that Defendant failed to adequately safeguard the private information of individuals saved in its systems from the Cybersecurity Incident that may have resulted in the compromise of certain of their personal information;

4. The settlement does not constitute an admission of liability by Defendant, and the Court expressly does not make any finding of liability or wrongdoing by Defendant;

5. Unless otherwise noted, words spelled in this Order with initial capital letters have the same meaning as set forth in the Settlement Agreement;

6. On August 22, 2025, this Court entered the *Order Granting Unopposed Motion for Preliminary Approval of Class Action Settlement, filed July 14, 2025 [Dkt. 16]*, filed August 22, 2025 [Dkt. 24], which among other things: (a) approved the notice to the Settlement Class, including approval of the form and manner of notice under the notice program set forth in the Settlement Agreement; (b) provisionally certified a class in this matter, including defining the class, appointed Plaintiffs as the Settlement Class Representatives, and appointed Settlement Class Counsel; (c) preliminarily approved the settlement; (d) set deadlines for opt-outs and objections; (e) approved and appointed the Claims Administrator and (f) set the date for the Final Fairness Hearing;

7. In the *Order Granting Unopposed Motion for Preliminary Approval of Class Action Settlement, filed July 14, 2025 [Dkt. 16]*, filed August 22, 2025 [Dkt. 24], for settlement purposes only, the Court certified the Settlement Class, defined as follows:

All individuals who were notified that their Private Information was potentially compromised in the August 2023 Cybersecurity Incident.

Excluded from the Settlement Class are; (i) Defendant and Defendant's parents, subsidiaries, affiliates, officers and directors, and any entity in which Defendant has a controlling interest; (ii) all individuals who make a timely election to be excluded from this settlement using the correct protocol for opting out; (iii) any and all federal, state, or local governments, including but not limited to their departments, agencies, divisions, bureaus, boards, sections, groups, counsels and/or subdivisions; (iv) the attorneys representing the Parties in the Action; (v) all judges assigned to hear any aspect of the Action, as well as their court staff and immediate family members; and (vi) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the Data Breach, or who pleads *nolo contendere* to any such charge.

8. The Court, having reviewed the terms of the Settlement Agreement submitted by the parties, grants final approval of the Settlement Agreement and finds that the settlement is fair, reasonable and adequate and meets the requirements of Hawai'i Rules of Civil Procedure Rule 23;

9. The terms of the Settlement Agreement are fair, reasonable and adequate and are hereby approved, adopted and incorporated by the Court. The Parties, their respective attorneys, and the Claims Administrator are hereby directed to consummate the settlement in accordance with this Order and the terms of the Settlement Agreement;

10. Notice of the Final Fairness Hearing, the proposed motion for attorneys' fees, costs and expenses, and the proposed service award payment to Plaintiffs have been provided to Settlement Class Members as directed by this Court's Orders, and an affidavit or declaration of the Claims Administrator's compliance with the notice program has been filed with the Court;

11. The Court finds that such notice as therein ordered, constitutes the best possible notice practicable under the circumstances and constitutes valid, due and sufficient notice to all

Settlement Class Members in compliance with the requirements of Hawai'i Rules of Civil Procedure Rule 23(e);

12. As of the final date for Settlement Class Members to submit a request for exclusion, two potential Settlement Class Members have submitted a valid request to be excluded from the Settlement. The names of those persons are set forth in **Exhibit A** to this Order. Those persons are not bound by this Final Order and Judgment, as set forth in the Settlement Agreement;

13. The Court has considered all the documents filed in support of the settlement, and has fully considered all matters raised, all exhibits and affidavits filed, all evidence received at the Final Fairness Hearing, all other papers and documents comprising the record herein, and all oral arguments presented to the Court;

14. Further to the Settlement Agreement, on the Effective Date and in consideration of the promises and covenants set forth in this Settlement Agreement, Plaintiffs and the Settlement Class Members release claims against Defendant and all Released Persons. The releases set forth in the Settlement Agreement are expressly incorporated herein in all respects. The releases are effective as of the Effective Date. Accordingly, this Court orders that, upon the Effective Date, and in consideration of the Settlement benefits described in the Settlement Agreement, each Settlement Class Member shall be deemed to have released, acquitted, and forever discharged Defendants and each of the Released Persons from any and all Released Claims;

15. Pursuant to the Settlement Agreement, and in recognition of their efforts on behalf of the Settlement Class, the Court approves payments to Plaintiffs in the amount of \$2,500 each as a service award for their efforts on behalf of the Settlement Class;

16. The Court has appointed Bronster Fujichaku Robbins as Class Counsel;

17. The Court, after careful review of *Plaintiffs’ Motion for Award of Attorneys’ Fees, Reimbursement of Expenses, and Service Awards for Class Representatives*, filed November 6, 2025 [Dkt. 26], and the supporting papers, and after applying the appropriate standards required by relevant case law, hereby grants Settlement Class Counsel’s application for attorneys’ fees and costs in the amount of \$550,000. Payment shall be made pursuant to the terms of the Settlement Agreement;

18. The matter is hereby dismissed with prejudice and without costs except that the Court reserves jurisdiction over the consummation and enforcement of the Settlement;

19. In accordance with Hawai‘i Rules of Civil Procedure Rule 23, this Order and Judgment resolves all claims against all parties in this Litigation and is a final order;

20. There is no just reason to delay the entry of final judgment in this matter, and the Clerk is directed to file this Order as the final judgment in this matter.

DATED: Honolulu, Hawai‘i, February 2, 2026.

/s/ **Jordon J. Kimura**  
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

/s/ Craig K. Shikuma, Esq.  
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CRAIG K. SHIKUIMA, ESQ.  
Attorney for Defendant  
PACIFIC GUARDIAN LIFE INSURANCE CO., LTD.

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CHRISTOPHER HARDY and JANET MAYERLE, individually, and on behalf of all others similarly situated, v. PACIFIC GUARDIAN LIFE INSURANCE COMPANY, LTD.; CIVIL NO. 1CCV-25-0000467 (JJK); ~~PROPOSED~~ **ORDER GRANTING (1) PLAINTIFFS’ MOTION FOR AWARD OF ATTORNEYS’ FEES, REIMBURSEMENT OF EXPENSES, AND SERVICE AWARDS FOR CLASS REPRESENTATIVES [DKT. 26] AND (2) PLAINTIFFS’ UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT [DKT. 29]; EXHIBIT “A”**

/s/ JJK

# EXHIBIT “A”

**EXHIBIT A**

**Requests for Exclusion**

Tu Y Yang

Deborah Wilson