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WATANABE ING LLP
A Limited Liability Law Partnership

MELVYN M. MIYAGI #1624-0
LANI NARIKIYO #4826-0
GREGG M. USHIRODA #5868-0
First Hawaiian Center
999 Bishop Street, 23rd Floor
Honolulu, Hawaii 96813
Telephone No.: (808)544-8300

Attorneys for Defendant
KAHUKU HOUSING FOUNDATION, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

TIMOTHY SHEA, MARY JACQUELINE)	CIVIL NO. CV09 00480 DAE LEK
LEE, DON E. MURDOCK,)	(Contract)
individually, and on behalf of)	
all persons similarly situated,)	DEFENDANT KAHUKU HOUSING
)	FOUNDATION, INC.'S CROSS-CLAIM
Plaintiffs,)	AGAINST DEFENDANT HAWAIIAN
)	PROPERTIES, LTD.; SUMMONS;
v.)	CERTIFICATE OF SERVICE
)	
KAHUKU HOUSING FOUNDATION,)	
INC., and HAWAIIAN PROPERTIES,)	
LTD.,)	
)	
Defendants.)	
)	(No Trial Date Set)

DEFENDANT KAHUKU HOUSING FOUNDATION, INC.'S
CROSS-CLAIM AGAINST DEFENDANT HAWAIIAN PROPERTIES, LTD.

COMES NOW Defendant/Cross-Claimant KAHUKU HOUSING FOUNDATION, INC. (hereinafter referred to as "Cross-claimant"), by and through its attorneys, WATANABE ING LLP, and for cross-claim against Defendant HAWAIIAN PROPERTIES, LTD. ("Other Defendant"), alleges and avers as follows:

1. On September 8, 2009, Plaintiffs Tim Shea, Mary

Jacqueline Lee and Don E. Murdock, individually and on behalf of all persons allegedly similarly situated ("Plaintiffs") filed a Complaint herein ("Complaint") alleging that Plaintiffs were injured and damaged as a result of the acts of Cross-claimant and Other Defendant.

2. If Plaintiffs were injured and/or damaged as alleged in said Complaint, said injuries or damages were caused or proximately resulted from the negligence, breach of duty, breach of contract, strict liability or other wrongful act or omission of Other Defendant, and Cross-claimant is not at fault or responsible therefore.

3. If it should be determined that Cross-claimant is held liable to Plaintiffs, Other Defendant is liable to Cross-claimant for said wrongful acts.

4. If any judgment is rendered against Cross-claimant, Cross-claimant is entitled to reimbursement, contribution and/or indemnity from Other Defendant.

WHEREFORE, Cross-claimant prays as follows:

1. That if it should be determined that Cross-claimant is liable for damages to Plaintiffs, that Cross-claimant obtain judgment over and against Other Defendant for the full amount required to satisfy Plaintiffs' claims against Cross-claimant.

2. That if it should be determined that Cross-

claimant is liable for damages to Plaintiffs, Cross-claimant have judgment over and against Other Defendant for reimbursement, contribution and/or indemnity.

3. That if it should be determined that Cross-claimant and Other Defendant are jointly liable, that the relative degree of fault of each joint tortfeasor be determined and that Cross-claimant have judgment, jointly and severally, against Other Defendant for any amount over and above Cross-claimant's pro rata share of such judgment.

4. That Cross-claimant be awarded its expenses, costs, attorneys fees and such other and further relief as this court deems just and proper.

DATED: Honolulu, Hawaii, November 12, 2009.

/s/ Lani Narikiyo
MELVYN M. MIYAGI
LANI NARIKIYO
GREGG M. USHIRODA
Attorneys for Defendant
KAHUKU HOUSING FOUNDATION, INC.