

Karen Kneubuhl Takei
64-5272 Puaʻuanu Pl.
Kamuela, Hawaii 96743

HIGH COURT OF AMERICAN SAMOA TRIAL DIVISION

Robin Kneubuhl Roush, Frances K. Opelle,)	LT No. 20-2013
Benjamin Franklin ("Ben") Kneubuhl, Jr.)	CA No. 28-2013
)	
Plaintiffs,)	Motion to
)	Substitute Party Plaintiff
)	
Douglas Crane "Mike" Kneubuhl, Douglas)	
Kneubuhl, Jr., Carrie Sue Lavigne Kneubuhl))	
Eckert, and Kelley Nadine Kneubuhl Fults)	
)	
Defendants.)	
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Frances Kneubuhl Opelle,)	
Plaintiff)	
vs.)	
Douglas C. "Mike" Kneubuhl, Carrie Sue Eckert,)	
(aka) Carrie Sue Lavigne), Kelley Nadine Fults,)	
Mark Kneubuhl and Douglas C. Kneubuhl, Jr.)	
)	
Defendants.)	

Motion to Request for Substitution as a Party Plaintiff
In Civil Action CA 28-2013 (Declaratory Judgment)

To the High Court of American Samoa: Please take notice that:

- I am Karen Kneubuhl Takei, resident of Kamuela, Hawaii, and daughter of Benjamin F. Kneubuhl, Jr., now deceased, who was a beneficiary under the 1960 Lena P. Kneubuhl Land Trust and a plaintiff in the above captioned matter, which document is in evidence;
- This matter was initially filed as a separate action but subsequently consolidated with LT 20-13;
- My request may be granted on the papers, if the court wishes to enter orders without a hearing;
- I am unaware of any objection to granting this motion request;
- I am without counsel at this time, so would represent myself for the present;
- I have sent a copy of this request to all parties or their counsel on 21 January 2017_.
- I am planning to attend the hearing on the status of the cases presently scheduled for February 9th at the High Court of American Samoa at 9:00 am;
- As daughter of Benjamin F. Kneubuhl, Jr., ("Ben") I am one of his three surviving children to whom, according to the terms of the trust, a "share shall pass" upon

upon his death;

- As the first child of Ben, I retained power of attorney for 3 years;
- He was resident in my home in Kamuela, Hawaii for 8 years until his death on January 29, 2016.
- I am now Executor and administrator of his estate;
- I have extensive past, present and current knowledge of my father's positions and wishes in the above matter and my siblings and I are in complete agreement with them;
- Therefore I can best represent their interests as well as my own;
- I have participated as an advocate in all conversations, pleadings, motions, hearings and decisions based upon the power of attorney vested in me,
- I have accepted service for him or on his behalf, and communicated with him in all matters;
- I believe his interests are identical to mine and my siblings' interests, and, after his passing, as successors in interest, we will require participation as a necessary party plaintiff to protect these interests;
- I testified on his behalf at the hearing of evidence October 6-9, 2015 at the High Court of American Samoa,

- I have discussed this with my siblings, Victoria Kneubuhl Haisley of Hawaii, and James Kneubuhl, of Olo, Taputimu, American, and they concur in this motion.
- I wish to preserve his rights, and my and my siblings' rights as successor beneficiaries, under the 1960 Lena P. Kneubuhl Trust during the pendency of the decision or any subsequent appeal, including any settlement discussions or execution of any legal instruments affecting our rights under the trust.
- And request that I be permitted to be a named party plaintiff in his place in the action for declaratory judgement.

Thank you for considering this motion.

Respectfully submitted,

Signed,

Karen Kneubuhl Takei

Karen Kneubuhl Takei, Dated *Jan. 20, 2017*

Notice of service to the following:

see attached

Certification of Services:

I have forwarded a copy, today, Thursday, January 19, 2017, to the following:

Terry Fielding, Clerk, High Court of American Samoa, P. O. Box 309, Fagatogo, Pago Pago, American Samoa 96799 by first class certified mail.

Roy J.D. Hall, counsel for defendants, Hall and Associates, P.O. Box 2506, Pago Pago American Samoa, 96799 by first class certified mail.

Mark Kneubuhl, pro se defendant, P.O. Box 3512, Pago Pago, American Samoa 96799 by first class mail.

Frances Kneubuhl Opelle, POA to Robert Opelle, 25546 Spinnaker Dr., San Juan, Capistrano, Ca., 92675 by first class mail.

✓ Robin A. Kneubuhl, pro se, 64 Olive Mill Rd., Santa Barbara, Ca., 93108, by first class mail