

JOSH GREEN, M.D.  
GOVERNOR



**DEPT. COMM. NO. 536**

**ANNE E. LOPEZ**  
ATTORNEY GENERAL

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**STATE OF HAWAII**  
**DEPARTMENT OF THE ATTORNEY GENERAL**  
*Ka 'Oihana O Ka Loio Kuhina*  
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(808) 586-1500

October 27, 2025

The Honorable Ronald D. Kouchi  
President and Members of the Senate  
Thirty-Third State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Nadine K. Nakamura  
Speaker and Members of the  
House of Representatives  
Thirty-Third State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Department of the Attorney General's Report on Litigation Deposits Trust Account Transactions and Collections Made on Behalf of Other Departments and Agencies, as required by section 28-16(e), Hawaii Revised Statutes (HRS). In accordance with section 93-16, HRS, I am also informing you that the report may be viewed electronically at <https://ag.hawaii.gov/publications/reports/reports-to-the-legislature/>.

If you have any questions or concerns, please feel free to call me at (808) 586-1500.

Sincerely,

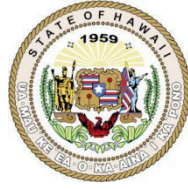
*Anne E. Lopez*

Anne E. Lopez  
Attorney General

c: Josh Green, M.D., Governor  
Sylvia Luke, Lieutenant Governor  
Legislative Reference Bureau (Attn: Karen Mau)  
Leslie H. Kondo, State Auditor  
Luis Salaveria, Director of Finance, Department of Budget and Finance  
Stacey A. Aldrich, State Librarian, Hawaii State Public Library System  
Wendy F. Hensel, President, University of Hawaii

Enclosure

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**REPORT ON LITIGATION DEPOSITS  
TRUST ACCOUNT TRANSACTIONS AND COLLECTIONS  
MADE ON BEHALF OF OTHER DEPARTMENTS AND AGENCIES**

Pursuant to Section 28-16(e),  
Hawaii Revised Statutes

For Fiscal Year 2024-2025

Submitted to the Thirty-Third State Legislature  
Regular Session of 2026

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**I. Overview of the Litigation Deposits Trust Account**

The Litigation Deposits Trust Account (name changed on July 1, 2021, from "Litigation Deposits Trust Fund" pursuant to Act 9, Special Session Laws of Hawaii 2021), appropriation number T-909-N, was established pursuant to Act 178, Session Laws of Hawaii 2002, to account for moneys received through any civil action in which the State is a party where the settlement amount is \$100,000 or higher. Pursuant to section 28-16, Hawaii Revised Statutes (HRS), the trust account is administered by the Department of the Attorney General, which must annually report to the Legislature (1) the transactions, by subsidiary account, that take place in the Litigation Deposits Trust Account for each fiscal year, and (2) a summary of the collections made in any amount on behalf of other departments and agencies, specifying the appropriate number of transactions and amount collected for each department and agency.

During Fiscal Year (FY) 2024-2025, the following significant transactions occurred in the trust account:

**Revenues:**

1. The account earned \$109,330.84 from the State's Investment Pool.
2. The account received a settlement of \$556,657,532.62 from the Bristol-Myers Squibb Company and U.S. based subsidiaries of French pharmaceutical company Sanofi, Case: *State v. Bristol-Myers Squibb Co.*, Civ. No. 14-1-0708 (Haw. 1st Cir. May 21, 2024) (for, among other claims, unfair or deceptive acts or practices in violation of section 480-2, Hawaii Revised Statutes, for failing to disclose the efficacy and safety profile of the drug Plavix).
3. The account received an additional settlement of \$567,319.59 from JUUL Labs, Inc., Case: *State v. JUUL Labs, Inc.*, Civ. No. 20-0000933 (Haw. 1st Cir. 2022) (alleging, among other claims, unfair or deceptive acts or practices in violation of section 480-2, Hawaii Revised Statutes, for unjust enrichment, negligence, negligence *per se*, and public nuisance as related to JUUL's marketing practices).

**Expenditures:**

Legal Services of Kasowitz LLP regarding Hawai'i State Hospital	\$	397,232.23
Reimbursement of costs awarded by trial court pursuant to Summary Disposition Order dated February 27, 2024	\$	25,940.70
<b>Total:</b>	<b>\$</b>	<b>423,172.93</b>

**Transfers:**

To Department of Health per Memorandum of Agreement	\$	1,118,943.00
To Department of Health per Memorandum of Agreement	\$	1,131,688.61
<b>Total:</b>	<b>\$</b>	<b>2,250,631.61</b>

Per Memorandum of Agreement (MOA) signed August 15, 2022, and Supplemental MOA signed October 2, 2023, transferred funds totaling \$1,118,943.00 are to be used for personal services costs, including annual salaries and fringe, for Department of Health staff positions to assist in remediating the harms and preventing future harms to Hawai'i by the opioid epidemic.

The positions to be funded by the MOA include: 1.00 Project Coordinator; 1.00 Program Specialist IV; and 1.00 Office Assistant III.

Per MOA signed May 28, 2025, transferred funds totaling \$1,131,688.61 are to be used for the purposes outlined in the JUUL Trust Fund Action Plan consistent with the Consent Judgment.

## II. Financial Data for Fiscal Years 2023-2024 and 2024-2025

Below are the details of the revenue and expenditures for this account for FY 2023-2024 and FY 2024-2025:

	<u><b>FY 2023-2024</b></u>	<u><b>FY 2024-2025</b></u>
Beginning Cash Balance	4,292,349.73	4,736,239.06
Beginning Encumbrances	0	0
Revenues	862,832.33	557,334,183.05
Expenditures	0	(423,172.93)
Transfers	(418,943.00)	(2,250,631.61)
<b>Ending Cash Balance</b>	<b>4,736,239.06</b>	<b>559,396,617.57</b>

### Revenue by Source Code – Fiscal Year 2024-2025

<u>Source Code</u>	<u>Description</u>	<u>Revenue</u>
0288	Investment Pool Account	109,330.84
0787	Judgments and Settlements	557,224,852.21
<b>Total Revenue:</b>		<b>557,334,183.05</b>

### Expenditure/Transfer by Object Code - Fiscal Year 2024-2025

<u>Object Code</u>	<u>Description</u>	<u>Expenditure/Transfer</u>
7111	Professional Fees – Attorneys	397,232.23
7112	Professional Fees – Other Experts	25,940.70
9997	Transfer to Trust and Agency Funds-Operating	2,250,631.61
<b>Total Expenditure/Transfer:</b>		<b>2,673,804.54</b>

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### III. Collections Made on Behalf of Other Departments and Agencies

Section 28-16(e)(2), HRS, requires the Department to prepare a summary of the collections made in any amount on behalf of other departments and agencies specifying the appropriate number of transactions and amount collected for each department and agency. The report for FY 2024-2025 is as follows:

<u>Department/Agency</u>	<u>Collected Amount</u>	<u>Number of Transactions</u>
Department of Hawaiian Homelands	10,440	1
Department of Human Services	9,008,317	1,462
Department of Labor and Industrial Relations	552,939	387
Department of Taxation	1,231,170	372
Department of Transportation	734,604	163
Employer-Union Health Benefits Trust Fund	2,098	7
Hawaii Health Systems Corporation	400,536	1,879
Miscellaneous Department/Agency (See Breakdown Below)	418,902	335
<b>Department/Agency Total</b>	<b>12,359,006</b>	<b>4,606</b>

<u>Miscellaneous Department/Agency (Breakdown)</u>	<u>Collected Amount</u>	<u>Number of Transactions</u>
Campaign Spending Commission	2,070	3
Department of Accounting and General Services (DAGS) Subrogation	700	2
Department of the Attorney General Notary Public Office	1,357	9
Department of Education (DOE) Criminal Restitution	2,400	12
DOE University of Hawai'i Stipend	18,890	55
Department of Health (DOH) Dishonored Checks	4,129	33
Department of Human Resources Development Worker's Compensation	13,611	4
Department of Land and Natural Resources (DLNR) Restitution	2,107	2
Judiciary (Bail Bond Forfeitures)	311,850	97
Salary Overpayments:		
DAGS	664	1
DLNR	325	2
Department of Law Enforcement	7,128	4
DOE	45,574	64
DOH	8,097	47
<b>Miscellaneous Department/Agency Total</b>	<b>418,902</b>	<b>335</b>