

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

STATE OF HAWAI‘I

SUZANNE O,)	CASE NO.: AB 2026-029(M)
)	DCD No.: 7-2025-341929
Claimant-Appellant,)	
Deceased,)	
)	D/A: August 15, 2025
vs.)	
)	
COUNTY OF MAUI - POLICE)	
DEPARTMENT,)	May 21 2026, 1:00 pm
)	FILED _{akw}
Employer-Appellee,)	Labor and Industrial Relations
)	Appeals Board
and)	
)	
SEDGWICK CMS – HAWAII,)	
)	
Insurance Carrier-)	
Appellee,)	
)	
and)	
)	
SPECIAL COMPENSATION FUND,)	
)	
Appellee.)	

ORDER TO SHOW CAUSE

On April 9, 2026, the Director of Labor and Industrial Relations issued a Decision (“Decision”) and certified that on April 9, 2026, a true and correct copy of this Decision was mailed to the parties, including “SURVIVOR(S) OF SUZANNE O”, via U.S. Mail and at their last known addresses.¹

¹ The Board observes that the Director captioned its April 9, 2026 Decision to include “SURVIVOR(S) OF SUZANNE O” as the “Claimant” in this case. This is

The “claimant” in this case is SUZANNE O who sustained a fatal injury when she was shot on August 15, 2025 while in the employ of Employer COUNTY OF MAUI - POLICE DEPARTMENT whose Insurance Carrier is SEDGWICK CMS – HAWAII (collectively, “Employer”). Employer accepted liability for the August 15, 2025 injury of Claimant, Deceased SUZANNE O (hereinafter, “Claimant”).

A deceased person, such as Claimant, cannot be a party to a legal proceeding. Further, an heir of an undistributed estate, who has not been judicially appointed as the personal representative of a decedent’s estate is not a proper party for substitution in a legal proceeding. Only judicially appointed representatives may be substituted for a decedent party.

To date, no court-appointed personal representative or special administrator of Claimant’s estate has appeared in this appeal. Accordingly, neither the Director nor the Board has substituted Claimant with a court-

not technically correct. A Form WC-5A Dependents’ Claimant for Compensation was not filed prior to the Director’s April 9, 2026 Decision, and therefore, no survivors’ claim was in existence at the time the Director issued his April 9, 2026 Decision. Accordingly, the Decision should have more correctly identified Claimant as SUZANNE O, Deceased. As more fully discussed, herein, there is no court-appointed personal representative or special administrator for the Estate of Claimant, Deceased SUZANNE O who has made an appearance and who has been substituted for Claimant, Deceased SUZANNE O. Thus, Claimant, Deceased SUZANNE O was unrepresented at the time the Director issued his Decision and could not be a valid party to an action (because of her death). The Board understands that the Director’s insertion of “SURVIVOR(S) OF SUZANNE O” as “Claimant” on the Decision merely confirms that the survivors of Claimant, Deceased SUZANNE O, if any, were served with a copy of the Director’s Decision at the last known address of Claimant, Deceased SUZANNE O. The Board’s caption, above, however, correctly identifies “Claimant.”

appointed personal representative or special administrator of Claimant's estate.

However, on May 5, 2026, **Beau Kikukawa** filed an appeal of the Director's April 9, 2026 Decision, stating that Claimant had been living with him from 2017-2025.

In a Form WC-5A Dependents' Claim for Compensation ("WC-5A"), filed on May 5, 2026 (after the April 9, 2026 Decision), **Beau Kikukawa** identified himself as the "[f]iance" of Claimant.

Even assuming *arguendo* that **Beau Kikukawa** is an heir of Claimant's estate, **Beau Kikukawa** does not possess the legal authority or standing to substitute as Claimant in this workers' compensation proceeding on this basis, alone.

Beau Kikukawa has not filed with this Board or with the Director any court order from the Probate Court of the State of Hawaii confirming that he is the court-appointed personal representative or special administrator of Claimant's estate.

Beau Kikukawa has not been substituted as Claimant for purposes of this workers' compensation proceeding.

Accordingly, **Beau Kikukawa** lacks standing to file an appeal of the Director's April 9, 2026 Decision.

The WC-5A filed by **Beau Kikukawa** also represents that the address of **Beau Kikukawa** is:

Beau Kikukawa
1010 Eha St. #103
Wailuku, HI 96793

According to the Director’s Decision, the last known address of “SURVIVOR(S) OF SUZANNE O,” which is the address to which the Decision was mailed on April 9, 2026, is as follows:

SURVIVOR(S) OF SUZANNE O
1010 EHA STREET #103
WAILUKU, HI 96793

Thus, a copy of the Director’s April 9, 2026 Decision was served upon **Beau Kikukawa** at his last known address on April 9, 2026.

Section 386-87(a), Hawaii Revised Statutes, states in relevant part:

A decision of the director shall be final and conclusive between the parties. . . unless within twenty days after a copy has been sent to each party, either party appeals therefrom to the appellate board by filing a written notice of appeal with the appellate board or the department.

Twenty (20) days after April 9, 2026 is Wednesday, April 29, 2026.

Having filed an appeal of the Director’s April 9, 2026 Decision on May 5, 2026, the appeal filed by **Beau Kikukawa** appears untimely.

Mr. **Beau Kikukawa**; Claimant, Deceased SUZANNE O; Employer COUNTY OF MAUI - POLICE DEPARTMENT and Insurance Carrier SEDGWICK CMS – HAWAII; and the SPECIAL COMPENSATION FUND (“SCF”) shall respond to this Order to Show Cause why:

1. Mr. **Beau Kikukawa**’s appeal filed on May 5, 2026 should not be dismissed for failure to establish his standing and/or legal authority to file an appeal of the Director’s April 9, 2026 Decision on behalf of Claimant, Deceased SUZANNE O; and
2. This appeal filed on May 5, 2026 should not be dismissed as untimely.

You are hereby notified that a hearing regarding this Order to Show Cause is set for **Wednesday, June 10, 2026 at 1:30 p.m., Hawaii Standard Time** or as soon thereafter as the parties may be heard by the Board.

This hearing will be held by **interactive conference technology**. Refer to the Board's January 30, 2024 Administrative Order 2024-01 for information about in-person appearances and the use of interactive conference technology. (See <https://labor.hawaii.gov/lirab/files/2024/03/Admin-Order-2024-01-filed-Jan-30-2024.pdf>.)

The Board will email you a calendar invitation to the hearing. The invitation will include a hyperlink to the Microsoft Teams meeting.

The Board will send invitations to the following via the means noted:

To: Li-Ann Yamashiro for the SCF at li-ann.yamashiro@hawaii.gov.

Contact the Board immediately if any of the foregoing email is incorrect or if you do not receive the calendar invitation within one week of the date of this notice.

If the emailed calendar invitation with a hyperlink to the event is unavailable or unsuccessful, call (808) 829-4853 and enter conference ID number **244 350 862#**, on the date and at the time of the hearing.

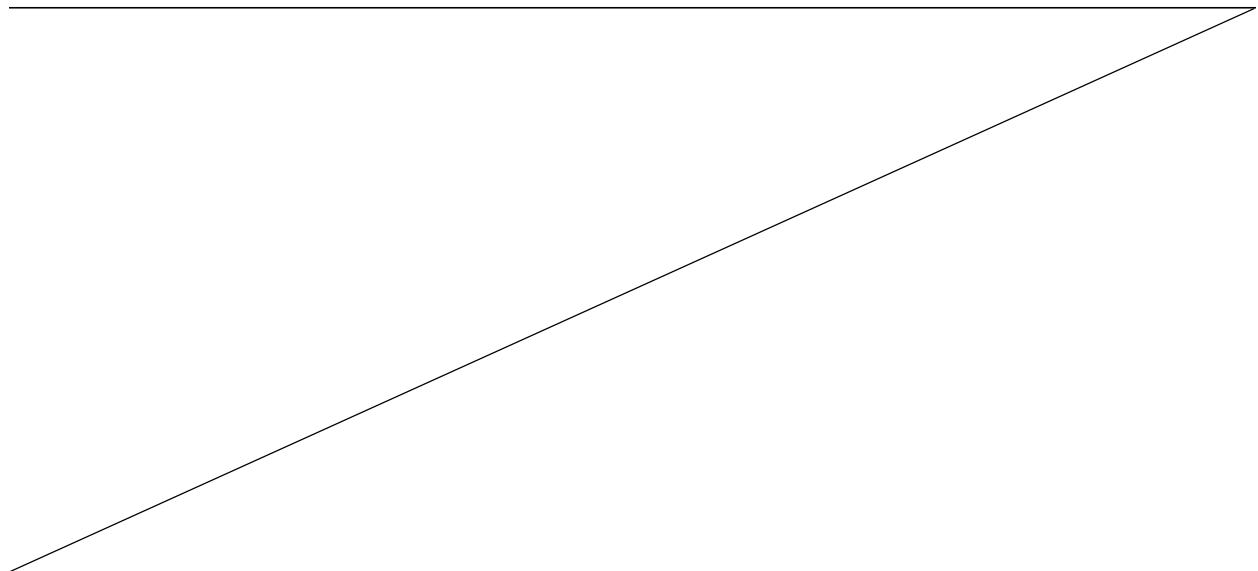
Any party who has not provided the Board with an email address will be conventionally served a copy of this notice. **If you wish to receive an emailed calendar invitation, you must provide the Board with your email**

address at least two business days before the hearing.

To ensure privacy and propriety of the hearing before the Board, do not share or forward any electronic meeting invitations, conference telephone number, and/or conference ID numbers. If attendance by additional participants (such as witnesses) is necessary, please provide the Board with the email address(es) of the additional participants at least two business days before the hearing.

The parties are required to immediately notify the Board of any changes to their own contact information, including mailing addresses, email addresses, and telephone numbers.

Refer to the Board’s June 14, 2024 Administrative Order 2024-02 for information about filing documents with the Board. (See <https://labor.hawaii.gov/lirab/files/2024/06/06-14-24-Administrative-Order-2024-02-CERTIFIED.pdf>.)



May 21 2026

Dated: Honolulu, Hawai'i,



DAMIEN A. ELEFANTE, Chair



MARIE C.L. LADERTA, Member

EXCUSED

HARRY YEE, Member

Suzanne O v. County of Maui - Police Department, et al.; AB 2026-029(M); Order to Show Cause

A digital copy of this Order to Show Cause will be posted on the Board's website and will remain on the Board's website for at least 180 days from the date of filing noted above.

Susan Leeder, Esq.
For Employer/Insurance
Carrier-Appellee

Li-Ann Yamashiro, Esq.
For Special Compensation
Fund-Appellee

Beau Kikukawa (courtesy copy)

A certified copy of the foregoing was served upon the above-captioned parties or their legal representatives on the date of filing noted above.

Order mailed on: May 21 2026

LABOR APPEALS BOARD - 830 PUNCHBOWL ST, RM 404, HONOLULU, HI 96813 - (808)586-8600

If you need a language interpreter or if you need an auxiliary aid/service or other accommodation due to a disability, please contact the Board at (808) 586-8600 and/or dlir.appealsboard@hawaii.gov as soon as possible, preferably at least ten (10) business days prior to your hearing or conference date. Requests made as early as possible have a greater likelihood of being fulfilled. If a request is received after the reply date, the Board will try to obtain the interpreter, auxiliary aid/service, or accommodation, but the Board cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate/accessible formats such as large print, Braille, or electronic copy.

Equal Opportunity Employer/Program
Auxiliary aids and services are available
upon request to individuals with disabilities.
TDD/TTY Dial 711 then ask for (808) 586-8600

Suzanne O v. County of Maui - Police Department, et al.; AB 2026-029(M); Order to Show Cause

This certifies that the foregoing is a full, true, and correct copy of the original on file in this office.

/s/ A. Watanabe for LIRAB