



BICKERTON LAW GROUP LLLP

James J. Bickerton
Bridget G. Morgan-Bickerton

745 Fort St #801
Honolulu, HI 96813
Tel: (808) 599-3811
Fax: (808) 694-3090

ANDREWS & THORNTON

Attorneys at Law, A Law Corporation

Anne Andrews
John C. Thornton
Sean T. Higgins
Robert S. Siko
Taylor Wall
Ryan McIntosh
Elham Amiri
Hans Lins

4701 Von Karman, Suite 300 Newport
Beach, CA 92660 Tel: 949.748.1000 Fax:
949.315.3540

info@andrewsthornton.com

www.andrewsthornton.com

AndrewsThorntonBlog.com



Cathy McMorris Rodgers
Chair, House Energy & Commerce Committee
2188 Rayburn House Office Building
45 Independence Ave. SW
Washington, D.C. 20515

Morgan Griffith
Chair, Subcommittee on Oversight and Investigations
2202 Rayburn House Office Building
45 Independence Ave. SW
Washington, DC 20515

RE: WRITTEN TESTIMONY FROM MAUI FIRE VICTIMS FOR 9/28/23 U.S. HOUSE ENERGY & COMMERCE COMMITTEE OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE HEARING: "INVESTIGATING THE ROLE OF ELECTRIC INFRASTRUCTURE IN THE CATASTROPHIC MAUI FIRE"

Dear Chairpersons,

My name is Anne Andrews and I am Founding/Managing Partner of Andrews & Thornton law firm in Newport Beach, CA. Together with our co-counsel, Bickerton Law Group LLLP of Honolulu, HI, we represent victims of the Maui wildfires, eight of whom are here to attend the U.S. House Energy & Commerce Committee Oversight and Investigations Subcommittee Hearing: "Investigating the Role of Electric Infrastructure in the catastrophic Maui Fire." Although they have not been invited to speak at this hearing, we have attached their written testimonies for you to nonetheless hear their stories. We intend to seek justice for and amplify the voices of the people who lost their homes, families, lives, and much else, due to the incompetence and overall failure of responsible parties to protect the Hawaiian public.

Together, with our co-counsel, Bickerton Law Group, LLLP, we have extensive experience helping accident, fire, and malpractice victims, injured consumers, employees, and public figures navigate the legal system. Since 1989, Bickerton Law Group has been respected as one of Hawaii's premier litigation firms, deeply committed to the islands.

We know that no amount of evidence or testimony from other sources can replace the impact of hearing directly from the survivors of the catastrophe. Each of these victims have unique histories in Lahaina and suffered profound losses because of the fires. Brian Kinley, U.S. Veteran and former police officer, was thrust back into the role of hero as he helped his family, visiting friends, and a family of strangers flee the flames that were overtaking their vacation accommodations. Andrea and Doc Ellis Pekelo lived in fear at their home in Lahaina since the Maui wildfires of 2018, only to run for their lives as their fears came to fruition. Now, like countless others, Andrea and Doc Ellis have been internally displaced. Jim, a retired marine pilot based in Hawaii and longtime homeowner, and his wife, Elsa Eberle worried for the safety of their daughter and son in law, and lost their sense of security and confidence in a life lived in Maui. As prominent members of the Lahaina community, they witnessed how many of their friends and family have lost everything.

Three of our clients are here today who have experienced the devastating loss of their beloved family members. Kathleen Henricks, Jon Gloege, and Andrea Wheeler have all endured the unimaginable pain of losing their loved ones, Doug Gloege and Rebecca Rans. These two souls were tragically consumed by the fires and endured excruciating agony as they faced the horrors of being burned alive. Their lifeless bodies were discovered just a few blocks away from their now-destroyed home, where they had fled in a desperate attempt to escape the flames.

With each testimony, you are sure to learn more of the acute terror Lahaina inhabitants experienced because of the hazardous conditions that were permitted to develop in Lahaina due to the inadequacy of Maui's infrastructure and emergency preparedness. Furthermore, it will allow you to scratch the surface of understanding the breadth and depth of the losses the overall community of Lahaina, Maui and Hawaii have suffered.

As you will hear in the statements, the tragedy in Lahaina was completely predictable, and therefore unequivocally avoidable. We appreciate the committee for allowing us to submit our clients' testimonies and taking the time to read them in lieu of live testimony, but also acknowledge that reading them alone is simply not enough. We hope that you elect to hear from them in the future at another hearing as the discussion evolves.

Sincerely,

BICKERTON LAW GROUP LLLP



JAMES BICKERTON

ANDREWS & THORNTON



ANNE ANDREWS

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Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, my name is Kathleen Hennricks and I am here today to address the U.S. House Energy and Commerce Committee during this Oversight And Investigations Subcommittee Hearing: "Investigating The Role Of Electric Infrastructure In The Catastrophic Maui Fire". I am accompanied by my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu. Though I would have liked to testify before you in person, I submit this written testimony as a substitute, though I plan to be there in-person to watch the hearing and will be interested in the answer to every question. If officers of Hawaiian Electric and representatives of the state of Hawaii are allowed to participate in this hearing, then we who have suffered so much at their hands deserve to participate as well.

My sister, Rebecca Ann Rans, was 57 years-old at the time of her death. I'm here to share the heartbreaking truth I've learned about my sister's untimely death and to urge the committee to take immediate action in response. My sister died alongside her loving partner of twelve years, Doug Gleoge, just a few blocks from their home as they attempted to escape the fires that ravaged their beloved Maui. The biggest tragedy is that my sister's deaths and the losses to our family were completely preventable. My sister's death was unnecessary, but please do not let it be meaningless. Steps *must* be taken *now* to prevent yet another fire on Maui.

My sister died in the most horrific manner, trying to escape the Lahaina fire. My family and spent ten agonizing days searching for her while we watched this tragedy unfold on national television and social media. We contacted hospitals and shelters. We tried to reach her friends on the island as best as we could, since cell service was initially down and then spotty at best.

On August 18, 2023 at 10:45 PM, two FBI agents knocked at my door. I invited them in, and the moment they showed their badges, I knew in my heart why they were there. They informed me that my sister had been found deceased, in the arms of her partner, Doug Gleoge, and her identity had been confirmed. My sister's body was so severely burned that the medical examiner urged us against an open casket funeral, instead recommending cremation. We cannot even say our final goodbye as a family. The agents shared that the only items that remained of my sister were her bracelet that says "Ku'uipo", meaning "sweetheart", and one burnt slipper on her left foot. She suffered from severe arthritis, so we believe that her partner, Doug, stayed by her side to help her escape, only for them to pass away together.



This is a painting my sister painted and lives in my memory of her one big, pure heart.

Knowing the details of her death, I can only imagine what the last few moments of her life were like. It is agonizing to think of the pain and terror she must have felt while trying desperately to escape.

Having lived on Maui for over 20 years, my sister loved the island and its people. She was a daughter to my father, a sister to me and my three surviving siblings, and a friend to countless others. Rebecca was a generous soul, and the community knew it. Many would reach out when down on their luck, and would spare anything she could, be it food, housing, or anything else. Becky loved to paint and was a talented traditional Hawaiian Poi dancer (fire dancer). She embodied Hawaiian culture and enjoyed sharing her love for it by educating visitors on the Hawaiian language. She loved teaching people that the word “Aloha” is a combination of three words in Hawaiian, together meaning *giving and receiving friendship makes present the breath of life*. My sister truly had the “aloha spirit.”

Her beauty radiated from the inside-out, and her love for her family and friends was unparalleled. Like the island and community she loved so much, she can never be replaced and will forever be missed. Her death has left a void in our hearts that can never be filled.

It is imperative that as victims and families of victims we find out why this was allowed to happen, especially with Maui’s wildfires in 2018 to forewarn the responsible parties. We cannot let history repeat itself for a third time. No one should have to go through what my sister went through, and no one should have to deal with the loss of their family or loved one like our family has. While we thank you for having the hearing today, we know and trust that this hearing is just the beginning.

Respectfully submitted as my
testimony, Kathleen Hennricks

Honorable Members of the U.S. House Energy and Commerce Committee,

My name is Jon Gloege, and my sister, Andrea Wheeler, and I are here today to present this written testimony on behalf of our deceased father, Doug Gloege, who cannot attend this U.S. House Energy and Commerce Committee during this Oversight and Investigations Subcommittee Hearing: “Investigating the Role of Electric Infrastructure In The Catastrophic Maui Fire”. We are accompanied by our attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents us alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

Andrea and I come before you not only as grieving children but as a voice for the countless lives shattered by the tragic Maui fires of 2023. We would like to share with you the story of our father, Doug Gloege, whose life was tragically taken in those devastating flames. Beyond our personal loss, we are here to emphasize a crucial point: this catastrophe was preventable, with those responsible failing to take the necessary precautions to avert this disaster.

Our dad’s connection to the island of Maui was profound. His family were fourth-generation homeowners on that very land, a place where our roots run deep. Our father eventually made the move to Maui, drawn by the magnetic pull of our family history and the deep-seated connection we all felt to this place. It was a place of familiarity, comfort, and cherished memories spanning generations.

Doug lived on Maui for over two decades. He was a dedicated and hardworking man, a skilled professional in the construction industry, and was always ready to lend a helping hand to those in need. He had a close-knit circle of friends and acquaintances, earning respect and admiration from many, including industry peers who reached out to me in support during the search for him. He always wore an unforgettable smile on his face and his positive aura was contagious to everyone around him. Despite the miles that separated all of us, Andrea and I both maintained a strong bond with our Dad, and we have been brought closer together than ever by his passing.

The heart-wrenching news of my father's passing arrived when FBI agents knocked on my door. The relief of finally receiving some response on my father’s location was overshadowed by the crushing reality of his loss. Both of our family’s homes were destroyed in the fire and he and his partner, Rebecca Rans, were found in each other’s arms just three blocks from our house, headed west. The details of their escape, whether through a service yard or a residential zone, remain shrouded in uncertainty.

Perhaps the most excruciating aspect of this ordeal has been the condition of our dad’s remains. The fire's ferocity left his body unrecognizable, rendering viewing impossible. The weight of this reality is one that we both continue to grapple with daily.

In this dark hour of profound loss, Andrea and I are determined to seek justice for this devastating tragedy. Doug Gloege was a remarkable man, beloved by those whose lives he touched. His memory will forever be etched in our hearts.

While we thank you for having this hearing, we are disappointed and angry that you did not feel it necessary to hear the voice of even one victim. Perhaps that’s because it was not you or a loved one who was in Maui, and it is easier for you to sit here thousands of miles away and pretend like you care. Caring would be giving time to hear at least one or two stories. Therefore, while I attend this hearing, I do so embarrassed for you.

Let our father's story serve as a stark example of the lives lost and the suffering caused by this preventable disaster. We must remember that this tragedy was avoidable; it should never have happened. We owe it to our father, to our community, and to all those who perished to ensure such a tragedy is never repeated.

Respectfully submitted as our testimony,

Jon Gloege and Andrea Wheeler

Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, my name is Andrea Pekelo, and I am here today with my husband, Doc Ellis Pekelo, to address the U.S. House Energy and Commerce Committee during this Oversight and Investigations Subcommittee Hearing: “Investigating The Role Of Electric Infrastructure In The Catastrophic Maui Fire.” We would have preferred to verbally testify in person, but we submit this written testimony in the alternative. Truthfully, we are aggrieved knowing that no victims of this tragedy will be heard at this hearing, including ourselves, but we plan to be there regardless to watch these proceedings and will be interested in the answer to all questions posed. We are accompanied by my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

My husband and I have lived in fear for these past five years since the fires that consumed Maui in 2018. I am a lifelong resident of Lahaina, and my husband is a native Hawaiian with roots going many, many generations back to the sacred town of Lahaina, where his ancestors lived and are buried. This land that we have loved and cherished for so long has become a toxic, burnt wasteland as a result of these fires. Our neighborhood is a disaster site closed to the public, preventing us from living in our home. Even the water there is currently not potable, and we do not know when it will be restored.

We personally witnessed the destruction of the Maui wildfires that took place in 2018, and we hoped we would never have to see something like that again. To our despair, our worst nightmare repeated itself. I saw with my own eyes that much of the damage caused to people’s homes, livelihoods, and more, could have been avoided if those responsible had applied the lessons learned in the 2018 Maui Fires. We believe that sharing with the committee what we witnessed both in 2018 and now in 2023 is the only way for this nightmare to end, and for the responsible parties to make necessary change. Our family feels strongly that if officers of Hawaiian Electric and representatives of the state of Hawaii are allowed to participate in this hearing, then we who have suffered so much by their inaction should be able to participate as well. We want Congress and this Committee to know that this fire was preventable and that we have a responsibility to ensure it never happens again.

On August 8th, 2023, I was at my home located in central Lahaina, on the Makai side of the Lahaina Bypass, along with my three dogs and guinea pig. I had serious concerns that an evacuation from the fire would be difficult because I remembered the chaos caused by the limited exit routes and bottlenecks of traffic that formed during evacuations for the 2018 fires. My fears ultimately became a reality when I only narrowly escaped the fire with my life.

I began packing my bags as quickly as I could when I saw the wall of smoke down the street from my house. Our neighborhood received its evacuation order when a police car started racing up the street with its sirens blasting and warned us over a megaphone to leave our homes right away. I put my bags and pets in the car to leave while the smoke thickened and the wind continued to whip against me. I only made it a block or two from my home before traffic trapped me below the Lahaina Bypass. By this time, the fire had begun to burn through homes in my neighborhood and was only four houses down from where my car was parked before the combined efforts of neighbors and a police car managed to break down a fence to allow myself and others to

escape. A brave neighbor stood outside and hosed down the cars passing by so they would be less likely to catch fire. In fear of this day, my family and I devised an emergency plan for ourselves to reconvene in the north, but because of the lack of preparation made by the responsible parties, it was impossible for me to reach our rendezvous point. Abandoning our plan, I desperately drove south to place as much distance between myself and the fire as I could.

The trauma of that day changed me, and I will never be the same again. Our ancestry and our lives are deeply intertwined with Lahaina; Lahaina is sacred to us, our family history, and our Hawaiian culture. Watching it burn and knowing that others could have prevented its destruction is indescribable. We must honor its importance, recognize the cultural loss, and do our best to rebuild and protect it for past, present, and future generations. The Hawaiian people deserve to have governmental protections and institutions they can rely on to take responsibility and prevent further losses from inevitable future fires. It will be a long journey to rebuild Lahaina, but we will be here for it. Let us move forward with strength; *imua* and *aloha*. Thank you for your consideration.

Respectfully submitted as our testimony,
Andrea and Doc Ellis Pekelo

Honorable Members of the U.S. House Energy and Commerce Committee,

Hello, I am Brian Kinley, owner of Azimuth Scuba, a diving shop located in Rockford, Illinois, and I am a witness to the tragedy that took place in Maui this August. As a U.S. Veteran and former police officer, it is truly shocking to me that it was deemed unnecessary to hear from survivors of this national disaster during this hearing. Although I would prefer to speak before you in person, I submit this written testimony in lieu of oral testimony. I am here with my attorney, Anne Andrews, of Andrews & Thornton in Newport Beach, who represents me alongside her co-counsel, Bickerton Law Group LLLP of Honolulu.

I decided to take a trip to Lahaina, Hawai'i along with some other divers (all of which are volunteers at my dive shop as instructional divers) and their families. We were a total of 13 people. We arrived at Lahaina on Friday, August 4 and planned to stay until Friday, August 11. Our group was staying at a local condominium complex for rent in central Lahaina, on the inland side of the Honoapiilani Highway. What should have been a wonderful trip to celebrate the success of two newly trained diving instructors became a nightmarish fight for our lives.

The day began with high winds so severe that roofs had blown off of buildings, so the group decided to stay in their condos for safety. In the early afternoon, I noticed smoke outside and went out to investigate with some other members of the group. At first, the fire seemed extremely far away, but a change in the wind quickly altered the situation such that I hastily notified everyone in my group to evacuate immediately. By the time we started to gather our things into the cars and leave, the fire was just on the other side of the condo's northwest retaining wall and was starting to burn the condo complex as we left.

While leaving through the southwest exit of the complex, we noticed a family of three, including their two-year-old child, who was also staying at the same condo complex. They were stranded, so we managed to pack them in one of the cars. We all quickly made our escape heading south through unimaginable traffic. We made it to relative safety camping outside of a Walmart near the airport. Our group eventually had to split up to take seats on emergency flights out of Maui throughout the night and early morning.

Our group received absolutely no assistance from state or HECO officials regarding notice of the fire or when or how to evacuate. We were very fortunate that we could all work together to help one another escape at the last possible moment, but not all people were so lucky. We, like many other visitors, are afraid to ever return to Maui because of what we experienced. Beyond the terrible destruction we saw happen at an impossibly rapid pace, it adds a layer of sadness knowing that by us visitors not returning, Maui is bound to lose the revenue from tourism that it relies on and will desperately need to rebuild. The most upsetting truth is knowing firsthand that additional efforts by state or HECO officials to warn the public of the approaching fire would have resulted in many lives being saved. Simply warning the public to be better prepared for an evacuation would have made a world of difference. It's important that we collectively determine who was at fault and what measures must be taken to prevent it from ever happening again.

Respectfully submitted as my testimony,

Brian Kinley

Honorable Members of the U.S. House Energy and Commerce Committee,

Even though we are unable to speak before you all, my wife Elsa and I would like to thank you for the opportunity to submit this testimony to be reviewed on September 28th, 2023, during the “Role of Electric Infrastructure in the Catastrophic Maui” hearing.

Although no victims were called to speak before congress today, we submit this statement to ensure that the voices of Lahaina are still heard. We write this with a profound sense of sorrow, as we attempt to convey the devastating impact of the catastrophic Maui Fire on the cherished community of Lahaina, a place we have called home in our hearts for many years.

Our connection to Lahaina dates back to when we first exchanged vows at the beautiful Maria Lanakila Church, decades ago. Although we later moved away, we could never truly sever the bond we had formed with this enchanting island. Our two children were born in California, but they spent every summer in Lahaina, captivated by its natural beauty and the warmth of its people. As parents, we always believed our kids would ultimately find their way back to Hawai'i.

For Elsa, the ties to Lahaina are even more profound. She, her parents, and her sister immigrated to the United States from the Philippines in the 1960s. Her father toiled in the cane fields, and her mother worked in the hotels. Lahaina, to them, was a place of opportunity and hope, where they could build a life for their family. They, like so many others in this neighborhood, came here seeking the American Dream. English was a second language for many, but the Lahaina community embraced them, and they became part of the rich tapestry of families who have called this place home for generations.

It is with a heavy heart that we emphasize the true nature of this neighborhood: a close-knit community of immigrant families who have persevered for decades. They have faced adversity together, celebrated life's joys together, and created a web of cultures and histories that make Lahaina a unique and vibrant place. It is a tragedy beyond words to see these people, who may not ever fully comprehend the lasting disaster this is, grappling with the loss of not just their homes but their entire history, which was erased in an instant.

The recent Maui Fire has not only destroyed homes and livelihoods but has inflicted deep emotional wounds that may never fully heal. The citizens of Lahaina are highly traumatized, and the scars of this tragedy run deep. They have lost not only their material possessions but, more painfully, their friends, family, and the very sense of community that defined their lives. We saw this trauma firsthand during the 2018 Maui Fires when we almost lost our beloved daughter Andrea, and her husband, Doc Ellis. The pain, the fear, and the sense of déjà vu during the recent catastrophe were excruciatingly tormenting.

As Lahaina residents, we thank this committee for having the hearing today regarding the role of electric infrastructure in this devastating fire. But we view this hearing as a start, not an end; we believe that understanding the causes are essential steps in preventing such a catastrophe from befalling this beautiful community again. The resilient Lahaina community deserves nothing less. Lahaina is more than a place; it is a living testament to aloha culture and the spirit of unity that should bind us all.

Elsa and I will both be attending the hearing, along with our representation, Anne Andrews of Andrews & Thornton, and her Honolulu-based co-counsel, Bickerton Law Group. We also look forward to hopefully meeting with you individually after the hearing.

Respectfully submitted as my testimony,

Jim and Elsa Eberle