



NO. 29841

IN THE INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI'I

CECIL LORAN LEE,

Plaintiff and  
Counterclaim-  
defendant/Cross-  
Claimant-Appellant,

vs.

LEONARD GEORGE HOROWITZ and  
JACQUELINE LINDENBACH  
HOROWITZ,

Defendants/Defendants  
in Intervention-  
Appellees,

and

THE ROYAL BLOODLINE OF  
DAVID,

Defendant/Defendant in  
Intervention/Counter-  
claimants-Appellee

and

PHILIP B. MAISE,

Plaintiff in  
Intervention and  
Cross-claim Defendant.

(Civil Case No. 05-1-196)

SUGGESTION OF DEATH OF  
APPELLANT CECIL LORAN LEE;  
DECLARATION OF PAUL J.  
SULLA, JR. (CERTIFICATE OF  
SERVICE ATTACHED)

FILED  
OFFICE OF THE CLERK  
STATE OF HAWAII  
COURTS

2009 SEP 18 PM 1:44

FILED

**Exhibit 36.** Suggestion of Death of Appellant Cecil Loran Lee; Declaration of Paul J. Sulla, Jr, Filed Sept. 18, 2009, In The Intermediate Court of Appeals of the State of Hawaii, Civ. No. 05-1-196; Wherein Sulla Lies in Declaration Claiming HESTER is Lee's "nephew."

Paul J. Sulla, Jr.  
P.O. Box 5258  
Hilo, HI 96720  
Tel. 808/933-3600

**DECLARATION OF PAUL J. SULLA, JR.**

I, Paul J. Sulla, Jr., declare and state as follows:

1. That I am an attorney licensed to practice in the State of Hawaii and am the attorney of record for the Plaintiff Cecil Loran Lee, deceased.

2. The Notice of Appeal was filed in this matter on May 21, 2009.

3. Cecil Loran Lee passed away on June 27, 2009 in the state of Arizona. A true and correct copy of the death certificate of Cecil Loran Lee is attached hereto as Exhibit "1".

4. No personal representative has been appointed for the deceased.

5. Prior to Mr. Lee's death, on or about May 8, 2009, he created a corporate sole pursuant to Hawaii Revised Statutes, Chapter 419, entitled *The Office of Overseer, a Corporate Sole and its Successor over and for the Popular Assembly of Revitalize, a Gospel of Believers*,

naming himself as the incumbent Overseer and his nephew, Jason Hester of Paho, Hawaii as successor Overseer by the Articles of Incorporation. A true and correct copy of the Articles of Incorporation is attached hereto as Exhibit "2".

6. On May 15, 2009, Cecil Loran Lee assigned all his right, title and interest to the two (2) Promissory Notes and Mortgage made by the defendants, which are the subject matter of the instant action, to Cecil Loran Lee, Overseer, *The Office of Overseer, a Corporate Sole and its Successor over and for the Popular Assembly of Revitalize, a Gospel of Believers*, a Hawaii corporate sole, under which Cecil Loran Lee was the original incumbent Overseer. True and correct copies of the Assignment of Promissory Note(s) are attached as Exhibits "3" and "4". A true and correct copy of the Assignment of Mortgage is attached hereto as Exhibit "5".

7. Upon Cecil Loran Lee's death on June 27, 2009, Jason Hester of Paho, Hawaii became the successor Overseer of the corporate sole, *Office of Overseer, a Corporate Sole and its Successor over and for the Popular Assembly of Revitalize, a Gospel of Believers* in place of

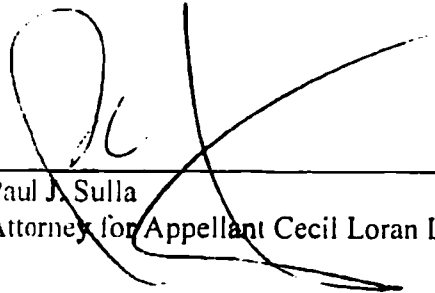
Hester is Not Lee's "Nephew" According to 2 Thorough Geneology Investigations of Lee's Family.

This "Corporate Sole" was Not Formed Yet, and Not Until May 28, 2009, According to Official Record, Exhibited Below.

Cecil Loran Lee. A Certificate of Incumbency has been prepared pursuant to Hawaii Revised Statutes Chapter 419.5 to be filed with the Department of Commerce and Consumer Affairs-Business Registration to replace Mr. Lee with Jason Hester as the Overseer of the said corporate sole. A true and correct copy of the Certificate of Incumbency is attached hereto as Exhibit "6".

8. A Motion for Substitution of Plaintiff was previously filed in the Circuit Court in this matter on July 15, 2009 naming *The Office of Overseer, a Corporate Sole and its Successor over and for the Popular Assembly of Revitalize, a Gospel of Believers* with Jason Hester of Pahoehoe, Hawaii as successor Overseer. as the plaintiff in the above-captioned matter in place of Cecil Loran Lee. and the Order for Substitution of Plaintiff granting the requested substitution of the plaintiff was issued by Judge Ronald Ibarra on August 31, 2009. A copy of the Order is attached hereto as Exhibit "7".

Signed as true and correct under the penalties of law of the State of Hawaii this 16  
day of September, 2009.



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Paul J. Sulla  
Attorney for Appellant Cecil Loran Lee

Paul J. Sulla, Jr. #5398  
P.O. Box 5258  
Hilo, HI 96720  
Tel. (808)933-3600

**CERTIFICATE OF VITAL RECORD**

THIS CERTIFICATE IS VALID ONLY WHEN ISSUED BY A REGISTERED DEATH REGISTRAR WHO HAS COMPLETED THE MANDATORY TRAINING COURSE

ARIZONA STATE COPY  
 STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS DEATH NO. 102-2009-022060  
**CERTIFICATE OF DEATH**

1. NAME: LAST, FIRST, MIDDLE INITIAL: **CECIL LOPAN LEE** SEX: **MALE** DATE OF BIRTH: **06-27-2009**

2. RACE: **CAUCASIAN** ETHNICITY: **NO**

3. PLACE OF DEATH: **APACHE** COUNTY: **EAGAR** ADDRESS: **367 SOUTH MAIN STREET** OTHER: **OTHER**

4. DATE OF DEATH: **08-27-2009** TIME OF DEATH: **78** MARRIAGE STATUS: **DIVORCED**

5. PLACE OF BIRTH: **NUTRIOSO, ARIZONA** MANNER OF DEATH: **INTENTIONALLY LEFT BLANK** SOCIAL SECURITY NO.: **526-36-9418** OCCUPATION: **EDUCATOR** EDUCATION: **EDUCATION**

6. RESIDENCE: STATE: **HAWAII** COUNTY: **HAWAII** CITY/TOWN: **PAHOA** ZIP CODE: **96778** MONTHS OF RESIDENCE: **1 MONTHS** YEARS OF COLLEGE: **5+ YEARS OF COLLEGE**

7. STREET ADDRESS: **13-811 MALAMA ST.** YES/NO: **NO** PREVIOUS STATE OF RESIDENCE: **INTENTIONALLY LEFT BLANK** AGE: **5**

8. FATHER'S NAME: **MARION LEE** MOTHER'S NAME: **ELLA MAXWELL**

9. DECEASED'S SIGNATURE: **INEZ LAVERNE SLADE** RELATIONSHIP TO DECEASED: **SISTER** ADDRESS: **PO BOX 222, EAGAR, ARIZONA 85925**

10. BURIAL INFORMATION: METHOD OF BURIAL: **BURIAL** DATE: **07-01-2009** CEMETERY: **NUTRIOSO CEMETERY, NUTRIOSO, ARIZONA** SIGNATURE: **INTENTIONALLY LEFT BLANK**

11. FUNERAL HOME: **BURNHAM MORTUARY** ADDRESS: **535 NORTH MAIN STREET EAGAR, AZ** DIRECTOR: **BRYCE BURNHAM, FUNERAL DIRECTOR** CERT. NO.: **F1175**

12. TO BE COMPLETED BY PHYSICIAN ONLY: NAME OF PHYSICIAN: **SCOTT R. HAMBLIN, M.D.** DATE SIGNED: **08-29-2009** HOUR OF DEATH: **0831**

13. NAME AND ADDRESS OF CERTIFYING PHYSICIAN: **SCOTT R. HAMBLIN, M.D., 606 MAIN EAGAR, AZ 85925** AUTHORIZED FOR CREATION OF MEDICAL EXAMINER'S SIGNATURE: **NO**

14. REGISTERED DEATH REGISTRAR: DATE: **07-07-2009** SIGNATURE: **ELIZABETH KIZER** SIGNATURE: **INTENTIONALLY LEFT BLANK** DATE RECEIVED BY STATE OFFICE: **INTENTIONALLY LEFT BLANK**

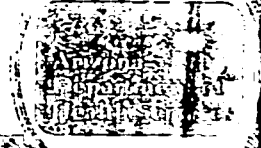
15. CAUSE OF DEATH: **PANCREATIC CANCER** UNKNOWN

16. MANNER OF DEATH: **NATURAL DEATH**

17. SUPPLEMENTARY ENTRIES: **NATURAL DEATH**

Date Issued: 07-07-2009

*Elizabeth Kizer*  
 DEPUTY REGISTERED DEATH REGISTRAR



I HEREBY CERTIFY that this is a true and correct copy of the official record(s) of the Business Registration Division.



DIRECTOR OF COMMERCE AND  
CONSUMER AFFAIRS

Date: May 21 2009

FILED 05/28/2009 05:41 PM  
Business Registration Division  
DEPT OF COMMERCE AND  
CONSUMER AFFAIRS  
State of Hawaii



STATE OF HAWAII  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
Business Registration Division  
1010 Richard Street  
PO Box 40, Honolulu, HI 96810

**ARTICLES OF INCORPORATION  
CORPORATION SOLE FOR ECCLESIASTICAL PURPOSES  
(Section 419, Hawaii Revised Statutes)**

PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK

The undersigned desires to form a Corporation Sole for Ecclesiastical purposes under the laws of the State of Hawaii and does certify as follows:

Article I

The name of the Corporation Sole is:

**THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS**

Article II

Cecil Loran Lee of 13-811 Malama Street, Pahoa, HI 96770, duly authorized by the rules and regulations of the church **REVITALIZE, A GOSPEL OF BELIEVERS**, a Hawaiian non-profit corporation in the nature of Ecclesia, hereby forms **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS** and is the initial holder the office of Overseer hereunder.

Article III

The principal office of **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITLIZE, A GOSPEL OF BELIEVERS** is 13-811 Malama Street Pahoa, HI 96778. The Island of Hawaii is the boundary of the district subject to the ecclesiastical jurisdiction of the Overseer.

Article IV

The period of duration of the corporate sole is perpetual.

1  
**Exhibit 37.** May 28, 2009, Initial Registration by State of Hawaii DCCA of SULLA/HESTER/RITKE's "Fraudulent Conveyance" "Church," Falsely Claimed in SULLA's (Exhibit 37) Declaration to Have Received Lee's Promissory Note Assignments Two Weeks Earlier (on May 15, 2009).

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Article V

The manner in which any vacancy occurring in the incumbency of **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS**, is required by the discipline of **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS**, to be filled, through an appointment of Jason Hester of Pahoa, Hawaii as designated successor, and if said designated successor is unable or unwilling to serve, then through an appointment by the support and blessings by a formal "Popular Assembly" of clerical staff and the general membership of **REVITALIZE, A GOSPEL OF BELIEVERS**, as to the named designated successor. The corporate sole shall have continuity of existence, notwithstanding vacancies in the incumbency thereof, and during the period of any vacancy, have the same capacity to receive and take gifts, bequests, devise or conveyance of property as though there were no vacancy.

Article VI

**THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS** shall have all the powers set forth in HRS c. 419-3 and 414D-52 including the power to contract in the same manner and to the same extent as any man, male or female, and may sue and be sued, and may defend in all courts and places, in all matters and proceedings whatsoever, and shall have the authority to appoint attorneys in fact. It has in any venue and jurisdiction authority to borrow money, give promissory notes therefore, to deal in every way in prime notes, noble metals, planchets, commercial liens, stamps, mortgages, all manner of banking, and to secure the payment of same by mortgage or other lien upon property, real and personal, enter into insurance and assurance agreements, own life insurance policies, and purchase and sell contracts and other commercial instruments. It shall have the authority to buy, sell, lease, and mortgage and in every way deal in real, personal and mixed property in the same manner as a "natural person" or covenant child of God. It may appoint legal counsel, licensed and/or unlicensed, but any professional or nonprofessional account services, legal or other counsel employed shall be utilized in a capacity never greater than subordinate co-counsel in any and all litigious matters whether private, corporate, local, national or international, in order to protect the right of the corporation sole to address all courts, hearings, assemblies, etc., as superior co-counsel.

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Article VII

The presiding Overseer of **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS** can be removed by a 2/3 vote at a meeting of the Popular Assembly of **REVITALIZE, A GOSPEL OF BELIEVERS**, a Hawaiian non-profit corporation in the nature of Ecclesia, duly called for that purpose, provided that a successor Overseer is selected at that meeting.

The presiding Overseer may not amend or alter this Article VII without the 2/3 vote at a meeting of the Popular Assembly of **REVITALIZE, A GOSPEL OF BELIEVERS** duly called for that purpose.

Article VIII

The presiding Overseer, after prayers and counsel from The Popular Assembly of **REVITALIZE, A GOSPEL OF BELIEVERS**, may at any time amend these Articles, change the name, the term of existence, the boundaries of the district subject to its jurisdiction, its place of office, the manner of filing vacancies, its powers, or any provision of the Articles for regulation and affairs of the corporation and may by Amendment to these Articles, make provision for any act authorized for a corporate sole under HRS c. 419. Such Amendment shall be effective upon recordation with the State of Hawaii.

Article IX

The purpose of this corporation sole is to do those things which serve to promote Celestial values, the principles of Love, Harmony, Truth and Justice, the love of our brothers and sisters as ourselves, the comfort, happiness and improvement of Man and Woman, with special emphasis upon home church studies, research and education of those rights secured by God for all mankind and of the laws and principles of God for the benefit of the Members of the Assembly and the Community at large. This corporate sole is not organized for profit.

Article X

All property held by the above named corporation sole as **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITLIZE, A GOSPEL OF BELIEVERS**, shall be held for the use, purpose, and benefit of **REVITLIZE, A GOSPEL OF BELIEVERS**, a Hawaiian non-profit corporation in the nature of Ecclesia.

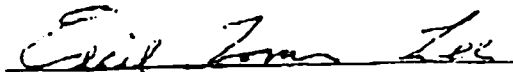
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I certify upon the penalties of perjury pursuant to Section 419 of the Hawaii Revised Statutes that I have read the above statements and that the same are true and correct.

Witness my hand this 8 day of May, 2009.

CECIL LORAN LEE



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CERTIFICATE OF EVIDENCE OF APPOINTMENT

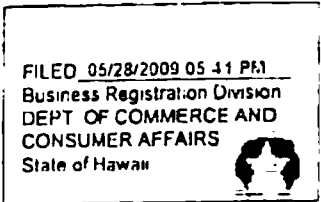
LEE's Sister Lives in Arizona.

Asseveration

State of Hawaii )

County of Hawaii )

signed and sealed



05/28/2009

Gwen Hillman, Scribe, on the 8th day of the fifth month in the

Year of our Lord Jesus Christ, the Redeemer, Two Thousand Nine having first stated by prayer and conscience, avers, deposes and says:

Cecil Loran Lee is the duly appointed, qualified OVERSEER of THE OFFICE OF OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS, by virtue of Spiritually and Divinely inspired appointment and he is, and has been, sustained as such by the general membership of said "body of believers" of REVITALIZE, A GOSPEL OF BELIEVERS a Hawaiian incorporated Church assembly, in the nature of Ecclesia, and THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS, in a special Popular Assembly meeting on the 8 day of the fifth month in the Year of our Lord Jesus Christ, the Redeemer, Two Thousand Nine as evidenced by an official recording of such appointment signed by Gwen Hillman, Scribe of THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS.


HERBERT RITKE's ADDRESS used for Corp., with GWEN HILLMAN "Scribe" Registered Agent Living in Arizona in Violation of State Incorporation Statutes.

05/29/2009 200920052

**General Certification**

I, Cecil Loran Lee, the named Overseer in The Office of the Overseer a corporation sole and his successors, over/for **The Popular Assembly of REVITALIZE, a Gospel of Believers** the Affiant herein, certify, attest and affirm that I have read the foregoing and know the content thereof and that it is true, correct, materially complete, certain, not misleading, all to the very best of my belief, and this I solemnly pledge declare and affirm before my Creator.

In witness whereof, said Cecil Loran Lee, The Overseer, of a corporation sole, has herunto set his hand and seal, on this, the 5 day of May in the Year of Jesus Christ our Lord, the Redeemer, two thousand nine.

  
\_\_\_\_\_ Affix Seal Here.

Cecil Loran Lee, the Overseer  
The Office of the Overseer  
a corporation sole and his successors,  
over/for **The Popular Assembly of REVITALIZE, A GOSPEL OF BELIEVERS** an incorporated Church assembly,  
in the nature of Ecclesia

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HERBERT  
RITKE's  
ADDRESS  
used for  
Corporation  
, with  
GWEN  
HILLMAN  
"Scribe"  
Registered  
Agent  
Living in  
Arizona in  
Violation of  
State  
Incorporatio  
n Statutes.

05-29-2009 17:41

**STATEMENT OF INCUMBENCY**

**THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS.**

BE IT KNOWN BY THESE PRESENTS that Cecil Loran Lee of 13-811 Malama Street Pahoa, HI 96778 is the current incumbent OVERSEER for the corporation sole known as **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS**. This Statement of Incumbency is provided pursuant to Hawaii Revised Statutes c.419-5.

Pursuant to Cecil Loran Lee's right to worship Almighty God, in accordance with the dictates of his own conscience, and having, humbly, taken possession of The Office of OVERSEER on the 28 day of May in the year two thousand nine, the OVERSEER does hereby certify, and adopt this "Statement of Incumbency".

In accordance with the disciplines of REVITALIZE, A GOSPEL OF BELIEVERS, a Hawaiian non-profit corporation, in the nature of Ecclesia located in Pahoa, County and State of Hawaii having established said corporation sole **THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS** and by this Statement of Incumbency hereby notifies the State of Hawaii that Cecil Loran Lee is the duly appointed incumbent OVERSEER.

**THE OFFICE OF THE OVERSEER, A CORPORATION SOLE AND HIS SUCCESSORS, OVER/FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS**, does hereby establish that Cecil Loran Lee is the duly appointed incumbent OVERSEER of this corporate sole created for the purposes of administering and managing the affairs, property, and temporalities of REVITALIZE, A GOSPEL OF BELIEVERS, a Hawaiian non-profit corporation in the nature of Ecclesia.


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General Certification

I, Cecil Loran Lee, the named Overseer in The Office of the Overseer a corporation sole and his successors, over/for The Popular Assembly of REVITALIZE, a Gospel of Believers the Affiant herein, certify, attest and affirm that I have read the foregoing and know the content thereof and that it is true, correct, materially complete, certain, not misleading, all to the very best of my belief, and this I solemnly pledge declare and affirm before my Creator.

In witness whereof, said Cecil Loran Lee, The Overseer, of a corporation sole, has hereunto set his hand and seal, on this, the 28 day of May in the Year of Jesus Christ our Lord, the Redeemer, two thousand nine.

  
\_\_\_\_\_ Affix Seal Here.

Cecil Loran Lee, the Overseer  
The Office of the Overseer  
a corporation sole and his successors,  
over/for The Popular Assembly of REVITALIZE, A GOSPEL OF BELIEVERS an incorporated Church assembly,  
in the nature of ecclesia

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