

CHAMBER HEARING

November 2014

Before: The Hon. Mde. Louise Esther Blenman, Justice of Appeal

MATTERS DEALT WITH ON PAPER

Case Name: Sylvan Brooks
v
Regina

**[AXAHCRA2007/0002]
(Anguilla)**

Date: Tuesday, 18th November 2014

On paper:

Appellant: In person

Respondent: Director of Public Prosecutions

Issue: Criminal appeal – Application for leave to reinstate notice of appeal which was withdrawn

Result / Order:

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The Registrar of the High Court shall serve the application on the respondent on behalf of the applicant within 14 days of today's date and provide proof of service.**
- (2) The respondent shall file and serve submissions in reply within 14 days of receipt of the application.**
- (3) The application is adjourned to the next chamber hearing on 18th December 2014.**

Case Name:

**Thornton Tomasetti, Inc.
v
Anguillan Development Corporation Ltd.**

**[AXAHCVAP2014/0008]
(Anguilla)**

Date:

Tuesday, 18th November 2014

On paper:

Applicant: Ms. Shaniel Hunter (Chancery Lane Chambers)

Respondent: Carter & Associates

Issue:

**Civil appeal – Application for leave to appeal –
Application for stay of execution**

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) Leave to appeal is granted against the ruling of
Master V. Georgis Taylor-Alexander given the 21st
day of October, 2014.**
- (2) An interim stay is granted until the next chamber
hearing scheduled for 18th December, 2014.**

Reason:

**The Court was of the opinion that the appellant satisfied
the requirements for the grant of leave to appeal and for
an interim stay.**

Case Name:

**Montpellier Farm Ltd
v
Antigua Commercial Bank**

**[ANUHCVAP2011/0007]
(Antigua and Barbuda)**

Date:

Tuesday, 18th November 2014

Appearances:
Applicant: Mr. Clement E. M. Bird (The Bird Law Firm, Inc.)
Respondent: Ms. C. Kamilah Roberts (Roberts & Co)

Issues: Civil appeal – Application for extension of time to file and serve submissions in reply

Result / Order: IT IS HEREBY ORDERED AND DIRECTED THAT:
(1) The applicant is granted an extension of time to file submissions in reply and shall file and serve the skeleton arguments within 14 days of today’s date.

Reason: The Court noted that the respondent did not oppose the application and was satisfied that the applicant met the requirements for the grant of an extension of time.

Case Name: Priscilla Leonce
v
Dean Arthur Richards
[ANUHCVP2014/0031]
(Antigua and Barbuda)

Date: Tuesday, 18th November 2014

On paper:
Applicant: Ms. Kema M. L. M. Benjamin (Marshall & Co.)
Respondent:

Issue: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED AND DIRECTED THAT:
(1) The applicant is granted leave to appeal the order of the Master made on 9th October 2014.

- (2) The applicant shall file and serve the notice of appeal within 21 days of today's date.
- (3) Thereafter the appeal shall proceed in accordance with CPR 62.10.

Reasons: The Court was satisfied that the applicant met the requirements for the grant of leave to appeal.

Case Name: Peter Lander
v
Fenty Larocque

[DOMHCVAP2014/0016]
(Commonwealth of Dominica)

Date: Tuesday, 18th November 2014

On paper:

Applicant: In person
Respondent: Dupigney, Bruney & Associates

Issue: Civil appeal – Application for extension of time to file notice of appeal – Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
(1) The applicant is granted an extension of time to file a notice of appeal.
(2) The notice of appeal filed on 29th October 2014 is deemed to be properly filed.
(3) The appellant shall serve the notice of appeal on the respondent and shall furnish the court with proof of service, thereafter the appeal shall proceed in accordance with rule 62.10 of the CPR 2000 62.10.

Reason: The Court was satisfied that the applicant met the requirements for the grant of an extension of time to file a notice of appeal and for the grant of leave to appeal.

Case Name: **Fitzgerald Winston**
v
J. Astaphan & Co. (1970) Ltd
[DOMHCVAP2014/0022]
(Commonwealth of Dominica)

Date: Tuesday, 18th November 2014

On paper:

Applicant: Mr. Joshua Francis

Respondents: De Freitas, De Freitas and Johnson Chambers

Issues: Civil appeal – Leave to appeal – Failure to comply with order of the court

**Result / Order
& Reason:**

IT IS HEREBY ORDERED THAT:

- (1) Unless the applicant complies with the order of the Court dated 21st October 2014 within 14 days of service of this order, the application shall stand dismissed.**
- (2) The Registrar of the High Court shall serve a copy of this order on the applicant and provide the Court with proof of service.**

Case Name: **Annette Nixon**
v
Gabriel Nixon and Jason Nixon
(as Administrators of the Estate of Joseph Nixon, deceased)

**[DOMHCVAP2014/0027]
(Commonwealth of Dominica)**

Date: Tuesday, 18th November 2014

On paper:

Applicant: Mr. Tiyani Behanzin (Horus Chambers)

Respondents: Ms. Singoalla Blomqvist-Williams

Issues: Civil appeal – Application for stay of execution –
Injunction

Result / Order:

IT IS HEREBY ORDERED THAT:

**(1) The notice of appeal filed without first obtaining the
leave of the court is struck out as a nullity.**

Reasons:

**The Court noted that the notice of appeal filed by the
applicant was filed out of time without first obtaining an
extension of time to file the appeal. The Court further
noted that the order being appealed was an
interlocutory appeal which required leave of the court
and that the notice of appeal was filed without leave of
the court. Accordingly, the Court found that the notice
of appeal, filed without leave of the court, was a nullity.**

Case Name:

Jacqueline Theodore

v

Farah Jackie Theodore

**[DOMHCVAP2014/0003]
(Commonwealth of Dominica)**

Date: Tuesday, 18th November 2014

On paper:

Appellant: Mr. Lennox Lawrence (Lennox Lawrence Chambers)

**Respondent/
Applicant:**

Mr. Henry M. Shillingford (HMS Law Chambers)

Issues:

Civil appeal – Application for leave to withdraw notice of appeal – Application to strike out notice of appeal

Result / Order:

IT IS HEREBY ORDERED THAT

- 1. The appellant is to clarify whether it is the intention to withdraw the second appeal (DOMHCVAP2014/0003) on or before 12th December 2014.**
- 2. Unless the appellant complies with paragraph 1 of this Order and the relevant practice directions and rules in relation to the application to strike out within the times stipulated on or before 12th December 2014, the notice of appeal filed on 5th February 2014 shall stand dismissed.**

Reason:

The Court noted that the appellant filed a notice of appeal in relation to an order dated 23rd January 2014 (“the first appeal”) and a second notice of appeal in relation to an order dated 27th January 2014 (“the second appeal”). The Court further noted that the order dated 27th January 2014 was a correction of the order dated 23rd January 2014 and is therefore the extant order for the purposes of any appeal. The Court also noted that the application to withdraw the second appeal filed by the appellant related to the Corrected Order dated 27th January 2014 in circumstances where the order of 23rd January 2014 has been overtaken by the order of 27th January 2014. Accordingly, in the circumstances, the Court was of the view that the appellant should clarify whether it is the intention of the appellants to withdraw the second appeal.

Case Name:

Hassan Hadeed

v

Nahla Hadeed

**[GDAHCVAP2014/0012]
(Grenada)**

Date: Tuesday, 18th November 2014

On paper:

Applicant: Mr. Francis Alexis (Grenlaw Chambers)

Respondent: Ms. Shireen Wilkinson (Wilkinson, Wilkinson & Wilkinson)

Issues: Civil appeal – Application for extension of time to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) The applicant is granted an extension of time to file and serve a notice of appeal.**
- (2) The applicant shall file and serve the notice of appeal within 7 days of today's date and thereafter the appeal shall proceed in accordance with CPR 2000 62.10.**

Reason:

The Court found that the applicant met the requirements for an extension of time to file a notice of appeal.

Case Name:

Grenada Property Management Ltd.

v

Primati Noe

Papaya Industries Limited

**[GDAHCVAP2014/0033]
(Grenada)**

Date: Tuesday, 18th November 2014

On paper:

Applicant: Justis Chambers

Respondent: Mr. Deloni Edwards (Law Office of George E. D. Clyne)

Issues: Civil appeal – Leave to appeal – Application for extension of time to apply for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT
The application for extension of time and for leave to appeal is adjourned for consideration to the next Chamber Hearing on 18th December 2014.

Reason: The Court noted that the time for the respondent to file submissions had not expired.

Case Name:

**Peter Thomas
v
Desireen Douglas
Anthony Douglas
Angela Douglas**

**[GDAHCVAP2014/0036]
(Grenada)**

Date: Tuesday, 18th November 2014

On paper:

Applicant: Ms. Sabrita Khan-Ramdhani (Ramdhani & Associates)

Respondent: Mr. Deloni Edwards (Law Office of George E. D. Clyne)

Issue: Civil appeal – Application for leave to appeal

Result / Order IT IS HEREBY ORDERED AND DIRECTED THAT:

& Reason:

- (1) The applicant shall provide copies of the application and supporting documents filed on 29th September, 2014 before the High Court to the Court's Headquarters on or before 28th November 2014.
- (2) The application for leave is adjourned to the next Chamber Hearing on 18th December 2014.

Case Name:

**Rodney Mc Burnie
v
Jerome Mc Burnie**

**[GDAHCVAP2014/0037]
(Grenada)**

Date:

Tuesday, 18th November 2014

On paper:

Applicant: Ms. Sabrita Khan-Ramdhani (Ramdhani & Associates)
Respondent: Amicus Attorneys

Issues:

Application for leave to appeal – Application for stay of execution

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) Leave is granted to appeal against the order of Gilford J dated 27th October 2014.
- (2) An interim stay is granted of the order of Gilford J dated 27th October 2014 until the next Chamber Hearing on 18th December 2014.
- (3) The application for a stay of the said order is adjourned to the next Chamber Hearing on 18th December 2014.

Reason:

The Court was of the opinion that the applicant had satisfied the threshold requirements for the grant of leave but noted that the time for the respondent to respond to the application for a stay had not expired.

Case Name: **Lorne Theophilus**
v
Prestige Auto Holdings Limited
(In Liquidation)

Heard together with:

Angus Pierre
v
Prestige Auto Holdings Limited
(In Liquidation)

[SLUHCVAP2014/0022]
(Saint Lucia)

Date: **Tuesday, 18th November 2014**

On paper:

Respondent: **Mr. Dexter Theodore**
Intended Appellant: **Ms. Chameil Joseph (Leevie Herelle & Associates)**

Issue: **Civil appeal – Application for leave to appeal – Application for stay of execution**

Result / Order: **IT IS HEREBY ORDERED THAT:**
The application for leave to appeal and for a stay of the order of Master Taylor-Alexander and of the proceedings is refused.

Reason: **Application for leave to appeal was not filed within the time specified in rule 62.2 of the Civil Procedure Rules 2000 and no application for extension of time was filed.**

Case Name:

Kenian Frederick

v

The Queen

[SLUHCRAP2014/0006]

(Saint Lucia)

Date:

Tuesday, 18th November 2014

On paper:

Appellant: Mr. Shawn Innocent

Respondent: The Director of Public Prosecutions

Issue:

Criminal appeal – Application for bail pending determination of appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

The application for bail is adjourned to the next Chamber Hearing on 18th December 2014.

Reasons:

The Court noted that the respondent was short-served on the application and that the time for the respondent to respond to the application had not expired.

Case Name:

Mark Brantley

v

Dwight C. Cozier

[SKBHCVAP2014/0027]

(Saint Christopher and Nevis)

Date:

Tuesday, 18th November 2014

On paper:

Appellant: Ms. Dahlia A. Joseph and Ms. Dia C. Forrester (Daniel, Brantley & Associates)

Respondent: Ms. M. Angela Cozier (Cozier & Associates)

Issue: Civil appeal – Application for leave to appeal – Application for stay of proceedings

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) Leave is granted to the applicant to appeal against the decision of Master Actie made on 9th October, 2014.**
- (2) A stay of the decision is granted pending the hearing and determination of the appeal.**

Reason:

The Court was of the opinion that the applicant met the requirements for the grant of leave to appeal and for a stay of the decision pending the hearing and determination of the appeal.

Case Name:

**Ross University School of Medicine
School of Veterinary Medicine
(St. Kitts) Limited**

v

Moorjani Caribbean Limited

**[SKBHCVAP2014/0032]
(Saint Christopher and Nevis)**

Date:

Tuesday, 18th November 2014

On paper:

Applicants: Mr. Garth L. Wilkin (Kelsick, Wilkin & Ferdinand)

Respondent: Ms. Arudranauth Gossai (Gonsalves Parry)

Issue: Civil appeal - Leave to appeal – Extension of time to appeal – Order to adduce fresh evidence – Stay of proceedings

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for extension of time to apply for leave to appeal is granted.
2. The application for leave to appeal is granted.
3. The application to adduce fresh evidence in relation to the appeal to be dealt with during the substantive hearing of the appeal.
4. The application for a stay of proceedings pending the determination of the appeal is granted.

Reasons: The Court was of the opinion that the applicants met the requirements for the grant of an extension of time to apply for leave to appeal. The Court was also of the opinion that the applicants met the requirements for the grant of leave to appeal and for a stay of the proceedings pending the determination of the appeal.

Case Name: IN THE MATTER of SRP, LLC, a limited liability company formed under the Nevis Limited Liability Company Ordinance 1995

v

IN THE MATTER of an application by PAUL B. TARTELL. M.D. and IRWIN GEDULD the trustee of the 1996 Tartell Family Irrevocable Trust, and the 2002 Paul B. Tartell Family Trust, members of the company, for and Order for its Judicial Dissolution pursuant to Section 52 of the aforesaid Ordinance

[SKBHCVAP2014/0029]
(Saint Christopher and Nevis)

Date: Tuesday, 18th February 2014

On paper:

Applicant: Ms. Suzy St. Brice (Grant, Powell and Co.)

Respondent: Ms. Midge A. Morton (Morton Robinson, L.P.)

Issues:

Civil appeal – Application for leave to appeal –
Application for extension of time to file an application
for leave to appeal

**Result / Order
& Reasons:**

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The respondent shall provide the court with proof of service on the applicant of the submissions filed on 17th November 2014 within 7 days of today's date.
- (2) The applicant shall file submissions in reply, if any, within 7 days of service by the respondents.
- (3) The application is adjourned to the next chamber date on 18th December 2014.

Case Name:

Owyn Jackson

v

The Queen

[SVGHCRA2013/0003]

(Saint Vincent and the Grenadines)

Date:

Tuesday, 18th November 2014

On paper:

Appellant: In person

Respondent: The Director of Public Prosecutions

Issue:

Criminal appeal – Application for bail pending appeal
determination

**Result / Order
& Reasons:**

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The Registrar of the High Court shall serve a copy

of the application for bail on the office of the Director of Public Prosecution within 7 days of today's date and shall furnish the court with proof of service.

- (2) The Director of Public Prosecutions shall file and serve submission indicating whether or not the application for bail is opposed within 14 days of service by the Registrar.
- (3) The application for bail is adjourned to the next chamber hearing on 18th December 2014.

Case Name:

Cameron Balcome

v

Rawlston Stewart

[SVGMCVAP2014/0013]

(Saint Vincent and the Grenadines)

Date:

Tuesday, 18th November 2014

On paper:

Appellant: Dr. Linton A. Lewis (Dr. Lewis Law Chambers)

Respondent: Marks & Marks

Issues:

Civil appeal – Application for leave to appeal – Application for extension of time to appeal out of time

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) The application for an extension of time to appeal is refused.**
- (2) Costs in the sum of \$750.00 to be paid to the Respondent.**

Reason:

The Court noted that the appellant failed to comply with the order of His Lordship The Hon. Mr. Davidson Kelvin Baptiste, Justice of Appeal, dated 21st October 2014 to provide the Court with a copy of the judgment or order

being appealed before 7th November 2014. The Court also noted the inordinate delay in making the application and the non-compliance of the appellant with CPR 62.4(2) which requires a copy of the order or judgment being appealed to be attached to the notice of appeal.

Case Name:

Gailene Simmons

v

Uranus Jordan

[SVGMCVAP2014/0014]

(Saint Vincent and the Grenadines)

Date:

Tuesday, 18th November 2014

On paper:

Applicant:

Mr. Olin J. B. Dennie (Olin J. B. Dennie Law Chambers)

Respondent:

Issues:

Civil appeal – Application to file a notice of appeal out of time

Result / Order:

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) Unless the applicant files the order of the court being appealed within 14 days of service of this order by the Registrar of the High Court and provides this Court with proof of service of the application on the respondent, the application shall stand dismissed.**
- (2) The Registrar of the High Court shall serve a copy of this order on the applicant and furnish the court with proof of service.**

Reasons:

The Court noted that the applicant had not complied with the order of His Lordship the Hon. Mr. Davidson Kelvin Baptiste, Justice of Appeal, dated 21st October 2014 and that the applicant had not filed a copy of the

order being appealed.

Case Name:

**[1] Ayton Limited
[2] Corporate Directors Limited
[3] Saint Vincent Trust Service Limited
[4] Lex Services Limited**

v

Andrew Popely

**[SVGHCVAP2012/0007]
(Saint Vincent and the Grenadines)**

Date:

Tuesday, 18th November 2014

On paper:

Appellants:

Mr. G. Grahame Bollers (Regal Chambers)

Respondent:

Elizabeth Law Chambers

Issues:

Civil appeal – Application to strike out appeal

Result / Order:

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The application to strike out the appeal is dismissed.**
- (2) The Appellant shall provide this court with proof of service of the skeleton argument on the respondent within 7 days of today's date, thereafter the appeal shall proceed in accordance with the CPR 2000.**
- (3) The substantive appeal is listed for the Full Court sitting during the week commencing 9th February 2015.**

Reason:

The Court was of the opinion that the respondent did not meet the requirements for strike out of the appeal.

Case Name:

**Morslin Sutherland
v
Denise Sutherland nee Carlos
(Administratrix of the Estate of Neville
Sutherland by her lawful Attorney on Record
Allan Anthony Sutherland)**

**[SVGHCVAP2014/0013]
(Saint Vincent and the Grenadines)**

Date:

Tuesday, 18th November 2014

On paper:

Appellant: Dougan, York & Co.

Respondent:

Issues:

Civil appeal – Application for stay of execution

**Result / Order
& Reasons:**

**IT IS HEREBY ORDERED AND DIRECTED THAT:
(1) The applicant shall furnish the court with evidence of
service of the application on the respondent within
14 days of today's date.
(2) The application for stay is adjourned to the next
chamber hearing on 18th December 2014.**

Case Name:

**Novatrust Limited
v
[1] Kea Investments Limited
[2] Spartan Capital Limited

[BVIHCMAP2014/0024]
(Territory of the Virgin Islands)**

Date:

Tuesday, 18th November 2014

On paper:

Appellant: Conyers Dill & Pearman

Respondents: Harney Westwood & Riegels for the first respondent;
GTS Corporate Services Limited for the second respondent

Issues: Application for leave to appeal – Application for stay of proceedings pending hearing and determination of appeal

Result / Order:

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The applicant is granted leave to appeal.
- (2) The notice of appeal shall be filed and served within 21 days of today's date and thereafter the appeal shall proceed in accordance with CPR 62.10.
- (3) A stay of all further proceedings in the Court below is granted until 14 days after the hearing and determination of the appeal.

Reason:

The Court was of the opinion that the applicant satisfied the requirements for the grant of leave to appeal.

Case Name:

[1] Lucan Invest Limited
[2] Dunview Holdings Inc.
v
[1] Afaith Investment Limited
[2] Vinson Holdings Limited
[3] Alverstone Trade & Invest Limited

[BVIHCMAP2014/0023]
(Territory of the Virgin Islands)

Date:

Tuesday, 18th November 2014

On paper:

Applicants: Mr. Andrew Willins (Appleby)

Respondents: Mr. Richard Evans and Mr. Murray Laing (Conyers Dill &

Pearman)

Issues: Civil appeal – Application for leave to appeal – Application for stay of execution

Result / Order: IT IS HEREBY ORDERED THAT:
The application for leave to appeal is adjourned to the Full Court sitting during the week commencing 12th January 2015

Reason: The Court was minded to refuse the application and ordered that the application be heard at the Full Sitting of the Court in accordance with rule 62.2(5) of the Civil Procedure Rules 2000.

Case Name: Margaret V. Greene (Nee Jones)
v
Lorn C. Greene
[BVIHCVAP2014/0006]
(Territory of the Virgin Islands)

Date: Tuesday, 18th November 2014

On paper:

Appellant: Dancia Penn & Co

Respondent: Ms. Marie-Lou D. Creque (SCA Creque)

Issues: Civil appeal – Application to strike out appeal

Result / Order & Reasons: IT IS HEREBY ORDERED AND DIRECTED THAT:
(1) The appellant shall file and serve a copy of the judgment/order which is subject to the appeal within 14 days of today's date.
(2) The respondent/applicant shall furnish this court

with proof of service of the application on the respondent within 14 days of today's date.
(3) The application to strike out the appeal is adjourned to the next chamber hearing on 18th December 2014.

Case Name: **Jinpeng Group Limited**
v
Peak Hotels and Resorts Limited
[BVIHCMAP2014/0025]
(Territory of the Virgin Islands)

Date: **Tuesday, 18th November 2014**

On paper:

Applicant: **Walkers**
Respondent: **Conyers Dill & Pearman**

Issues: **Civil appeal – Application for leave to appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**
5. Leave is granted to the applicant to appeal the order of Bannister J made on 17th October, 2014.

Reason: **The Court found that the applicant had met the requirements for the grant of leave to appeal.**

Case Name: **Kenneth M. Krys**
(As Liquidator of Fairfield Sentry Limited)
v
Farnum Place LLC

**[BVIHCMAP2013/0014]
(Territory of the Virgin Islands)**

Date: Tuesday, 18th November 2014

On paper:

**Appellant/
Applicant:** Forbes Hare

**Intervener/
Respondent:** Conyers Dill & Pearman

Issues: Civil appeal – Application for an order that liquidator has sanction to take steps to comply with and respond to order of U.S. Court of Appeals for Second Circuit

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) The Appellant, acting in his capacity as liquidator of Fairfield Sentry Limited (in liquidation) (“Sentry”), has sanction to take steps to comply with and respond to the order of the U.S. Court of Appeals for the Second Circuit (“Second Circuit”) dated 3rd November 2014, and to take any other steps as directed by the Second Circuit or as may otherwise be necessary in relation to Farnum Place LLC’s petition for reconsideration or *en banc* review of the Second Circuit’s decision dated 26 September 2014, including filing any further written submissions or presenting argument to the Second Circuit.
- (2) The costs of this application be costs in the liquidation of Sentry.

Reason:

The Court noted that the intervener/respondent did not oppose the application and the Court also referred to previous orders in the proceedings.

Case Name:

**Fairfield Sentry Limited (In Liquidation)
v
Farnum Place LLC**

**[BVIHCMAP2014/0026]
(Territory of the Virgin Islands)**

Date: Tuesday, 18th November 2014

On paper:

Appellant: Forbes Hare

Respondent: Conyers Dill & Pearman

Issues: Civil appeal – Application for extension of time for filing notice of appeal – Application for permission to adduce fresh evidence

**Result / Order
& Reasons:**

IT IS HEREBY ORDERED AND DIRECTED THAT:

- (1) The applicant shall furnish this court with proof of service of the application and submissions on the respondent within 14 days of today's date.**
- (2) The application is adjourned to the Full Court Sitting in Tortola during the week commencing 12th January 2015.**

Case Name:

**Julian Daniel
(Personal Representative of the Estate of
Benjamin Daly)**

v

**The Attorney General of Montserrat
Planning and Development Authority**

**[MNIHCVAP2014/0005]
(Montserrat)**

Date: Tuesday, 18th November 2014

On paper:

Appellant: Mr. Kharl Markham (Allen Markham & Associates)

**Respondents/
Applicants:**

Ms. Sheree Jemmotte-Rodney

Issues:

Civil appeal – Application for grant of extension of time to file and serve skeleton arguments

Result / Order:

**IT IS HEREBY ORDERED THAT:
The application for extension of time within which to file and serve the skeleton arguments is granted.**

Reason:

The Court was of the opinion that the respondents/applicants met the requirements for the grant of an extension of time to file and serve skeleton arguments.

Case Name:

**Eugene Brade
v
Laurine Fenton**

**[MNIMCVAP2014/0004]
(Montserrat)**

Date:

Tuesday, 18th November 2014

On paper:

**Appellant/
Applicant:**

Mr. David S. Brandt

Respondent:

Dr. David Dorsett

Issues:

**Civil appeal – Application to amend grounds of appeal –
Application to strike out appeal**

Result / Order:

IT IS HEREBY ORDERED THAT:

- (1) The application to strike out the appeal is refused.
- (2) The appellant is granted leave to amend the grounds of appeal.

Reason: The court was of the opinion that the respondent did not meet the requirements for the strike out of the appeal. The Court also found that the appellant met the requirements for the amendment of his grounds of appeal.

Case Name: **Julian Wade**
v
The Governor of Montserrat
The Hon. Attorney General
[MNIHCVAP2013/0005]
(Montserrat)

Date: Tuesday, 18th November 2014

On paper:

Appellant: Mr. David S. Brandt (Brandt & Associates)

Respondent: The Hon. Attorney General

Issues: Civil appeal – Application for leave to amend grounds of appeal

Result / Order: **IT IS HEREBY ORDERED THAT:**
(1) The appellant is granted leave to amend the grounds of appeal.

Reason: The Court was of the opinion that the appellant satisfied the requirements for the grant of leave to amend his grounds of appeal.

