

THE EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL SITTING

CHAMBER HEARING

Tuesday, 18th November 2025

MATTERS DEALT WITH ON PAPER

Case Name:

Neal Harding

Applicant

and

JSN Development Group Limited

Respondent

- 1. Global Bank of Commerce**
- 2. Christopher Harding**
- 3. Attorney General of Antigua and Barbuda**

Interested Parties

**[ANUHCVP2025/0029]
(Antigua & Barbuda)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant:

Ms. Cheryl-Lee Bolton

Respondent: N/A

Issue: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:

1. The application for leave to appeal the order of Justice Renee Williams is granted.
2. Thereafter, the appeal shall proceed in accordance with the Civil Procedure Rules (Revised Edition 2023).
3. Costs of this application are to be costs in the appeal.

Reason: The Court considered rule 62.2(8) of the Civil Procedure Rules (Revised Edition) 2023 which states that leave to appeal may be given only where (a) the court considers that the appeal would have a realistic prospect of success; or (b) there is some other compelling reason why the appeal should be heard.

The Court also considered the principles for the grant of leave to appeal as stated in *Othneil Sylvester v Faelleseje Civil Appeal No. 5 of 2005 (delivered 20th February 2006, unreported)* and in *Cage St. Lucia Limited v Treasure Bay (St. Lucia) 2012, unreported*), most notably that an applicant must show that the intended appeal has a realistic prospect of success, which is a heavier burden than showing only that he has an arguable appeal.

Having regard to the above rules and principles, the Court was of the view that the applicant has met the threshold for a grant of leave to appeal and so ordered.

Case Name: Dane Airall Jr.

Applicant

and

The Chief Magistrate

Respondent

**[ANUMCRAP2025/0007]
(Antigua & Barbuda)**

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Mr. Sherfield Bowen

Respondent: The Office of the Director of Public Prosecutions

Issue: Application for extension of time to appeal

Result / Order: IT IS HEREBY ORDERED THAT:

1. The extension of time application filed by the applicant on 3rd October 2025 is refused.
2. Upon the application for an extension of time being refused, there is no valid appeal before this Court.

Reason: The Court considered section 170 of the Magisterial Code of Procedure Act CAP. 255 Laws of Antigua and Barbuda which provides that “where an appeal is by way of motion the appellant shall within fourteen days after the day on which the Magistrate has given his decision shall serve a notice on the other party and on the Magistrate of his intention to appeal”.

The Court also considered section 30(2) of the Eastern Caribbean Supreme Court Act, CAP. 143

which provides that “the time within which notice of appeal may be given or any bond or security entered into or grounds of appeal filed in relation to appeals under this section may be extended at any time by the Court of Appeal”.

The Court had regard to section 9 of the Eastern Caribbean Supreme Court of Appeal Rules, CAP. 336 which empowers it to “enlarge or abridge the time appointed by these Rules, or fixed by an order enlarging time, for doing any act or taking any proceeding, upon such terms (if any) as the justice of the case may require, and any such enlargement may be ordered although the application for the same is not made until after the expiration of the time appointed or allowed, or the Court may direct a departure from these Rules in any other way where this is required in the “interests of justice”.

The Court noted that the application was filed on 3rd October 2025 which is over three (3) years after the applicant was convicted and sentenced and thus well outside of the statutory period of fourteen (14) days. The Court also noted that the applicant filed an affidavit in support of the application accounting for the delay, stating that despite his repeated requests, his counsel failed to file the necessary documents. Additionally, the Court noted that there has been no response filed by the respondent in relation to the notice of application for an extension of time.

The Court determined that the period of delay is inordinate in the circumstances, that no good reason has been advanced by the applicant for the said delay and accordingly refused the application for an extension of time.

Case Name:

Karl Warner

Applicant

and

The King

Respondent

**[ANUHCRA2024/0011]
(Antigua & Barbuda)**

Date: Tuesday, 18th November 2025

Before: The Hon. Gerard St. C. Farara, Justice of Appeal [Ag.]

On paper:

Applicant: In Person

Respondent: Mrs. Sharon Jones-Gittens

Issue: Application for bail

Result/Order: IT IS HEREBY ORDERED THAT:

1. The application filed by the applicant on 3rd October 2025 is granted.
2. The applicant shall file his reply on or before 24th November 2025.
3. The application for bail is adjourned for further consideration at the next Chamber Hearing scheduled for 16th December 2025.

Reason: The Court considered section 9 of the Eastern Caribbean Supreme Court of Appeal Rules which empowers the court to “enlarge or abridge the time appointed by these rules, or fixed by an order enlarging time, for doing any act or taking any proceeding, upon such terms (if any) as the justice of the case may require, and any such enlargement may be ordered although the application for the same is not made until after the expiration of the time appointed or allowed, or the Court may direct a departure from these Rules in any other way where this is required in the interests of justice”.

The Court noted that the application for extension of time to file a reply to the respondent was filed on 19th November 2025 immediately after the respondent's submissions were filed.

The Court also noted that the applicant filed an affidavit in support of the application accounting for the delay, stating that the timing of the respondent's filing left him with only one business day to prepare a reply before the Chamber Hearing on 18th November 2025, and that he lacked the financial means to file the extension of time application sooner.

The Court further noted that there has been no response filed by the respondent in relation to the extension of time application.

The Court therefore determined that the delay is not inordinate, that the applicant has provided a sufficient explanation for the delay and that the applicant ought properly to be afforded an opportunity to respond and granted the application for an extension of time to file a reply to the respondent.

Case Name:

Cherilyn Joseph

Applicant

and

- 1. Sylvie Magloire**
- 2. Sarah George**

Respondents

- 1. The Chief Technical Officer**
- 2. The Chief Physical Planner**
- 3. The Attorney-General of the Commonwealth of Dominica**

Interested Parties

**[DOMHCVAP2025/0023]
(Commonwealth of Dominica)**

Date: **Tuesday, 18th November 2025**

Before: **The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant: **Ms. Rose-Anne Charles**

Respondents: **N/A**

Issue: **Application for leave to appeal**

Result/Order: **IT IS HEREBY ORDERED THAT:**

- 1. The applicant is granted leave to appeal against the order of Alami J dated 24th September 2025.**
- 2. The applicant shall file and serve the notice of appeal within 7 days of the date of this order.**
- 3. The appeal shall proceed in accordance with the Civil Procedure Rules (Revised Edition) 2023.**

Reason: **The Court had regard to rule 62.2(8) of the Civil Procedure Rules (Revised Edition) 2023 which states that leave to appeal may be given only where (a) the court considers that the appeal would have a realistic prospect of success; or (b) there is some other compelling reason why the appeal should be heard.**

The Court considered the principles of the grant of leave to appeal as enunciated in *Othneil Sylvester v Faelleseje Civil Appeal No. 5 of 2005 (delivered 20th February 2006, unreported)* and in *Cage St. Lucia Limited v Treasure Bay (St. Lucia) Limited Saint Lucia Civil Appeal No. 45 of 2011 (delivered on 23rd January 2012, unreported)*. These principles are that the

applicant must show that the intended appeal has a realistic prospect of success, which is a heavier burden than showing only that he has an arguable appeal.

The Court was thus of the view that the applicant has met the threshold for the grant of leave to appeal.

Case Name:

**1. Lucia Toussaint
2. Alana McPherson
3. Sekai Myster Nkozi**

Applicants

and

Gildon Richards

Respondent

**[DOMHCVAP2025/0009]
(Commonwealth of Dominica)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicants: Mr. Stephen Isidore

Respondent: In Person

Issue:

Application for a stay of execution - Application for costs

Result/Order:

IT IS HEREBY ORDERED THAT:

The application for a stay of proceedings filed by the applicants on 7th October 2025 is granted.

Reason:

The Court had regard to the principles for the grant of a stay pending appeal as outlined in *C-Mobile Services Limited v Huawei Technologies Co. Limited BVIHCMAP2014/0017* (delivered 2nd October 2014, unreported).

These principles are that – i. the court should take into account all the circumstances of the case; ii. a stay is the exception rather than the general rule; iii. the party seeking a stay must provide cogent evidence that the appeal will be stifled or rendered nugatory unless a stay is granted; iv. in exercising its discretion, the court applies what is in effect a balance of harm test in which the likely prejudice to the successful party must be carefully considered; and v. the prospect of the appeal succeeding, but only where strong grounds of appeal or a strong likelihood the appeal will succeed is shown.

The Court was therefore of the view that the appeal may be rendered nugatory if a stay of proceedings is not granted and granted a stay of proceedings.

Case Name:

Sandra Ishmael

Applicant

and

Michael Victor

Respondent

**[DOMMCVAP2018/0005]
(Commonwealth of Dominica)**

Date:

Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Mrs. Gina Dyer Munro

Respondent: Mrs. Dawn Yearwood Stewart

Issue: Application for counsel to be removed from the record

Result/Order: IT IS HEREBY ORDERED THAT:

1. Mrs. Gina Dyer Munro of Dyer & Dyer Solicitors is removed from the record as solicitor representing the appellant in this matter.
2. The Registrar of the High Court shall serve a copy of this order on the appellant personally within 7 days of the date of this order and shall provide proof of service thereof.

Reason: The Court considered rule 63.6 of the Civil Procedure Rules (Revised Edition) 2023 which mandates that a legal practitioner who wishes to be removed from the record as acting for a party may apply to the court for an order in these terms, that the application must be on notice to the client and on all other parties, and that the application must be supported by evidence on affidavit which must be served on the client but must not be served on any other party to the proceedings.

The Court also noted that the application and affidavit in support were served on the appellant on 21st August 2025 and thus granted the application.

Case Name: Demeblyn Murray

Applicant

and

The King

Respondent

**[GDAHCRAP2023/0001]
(Grenada)**

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Mr. Otis Diaz-Spencer

Respondent: The Office of the Director of Public Prosecutions

Issue: Application for bail

Result/Order: IT IS HEREBY ORDERED THAT:

The application for bail is refused.

Reason: The Court considered that the applicant failed to adduce any evidence in support of his application for bail and that therefore his grounds amounted to mere bald assertions.

The Court was of the view that in all the circumstances, the applicant had failed to demonstrate any exceptional circumstances which would justify the granting of bail pending appeal and refused the application.

Case Name: Isaac Joseph

Applicant

and
Matthew Blair

Respondent

[GDAHCVAP2025/0005]
(Grenada)

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Mr. Isaac Joseph

Respondent: Mr. Matthew Blair by his son Edward Blair

Issue: Application for appointment of representative party

Result/Order: IT IS HEREBY ORDERED THAT:

1. The application to appoint Mr. Edward Blair as the representative for the respondent in the proceedings is granted.
2. The respondent in these proceedings shall be referred to as “Edward Blair (As representative of Mr. Matthew Blair) appointed by order of court dated 18th November 2025”.

Reason: The Court noted the affidavit of service dated 29th August 2025 evidencing service of the order dated 19th May 2025 and the application on Mr. Edward Blair, son of the respondent.

The Court had regard to rule 21.1(2) of the Civil Procedure Rules (Revised Edition) 2023 (“CPR”) which empowers it to appoint a representative to represent all or some persons with the same or similar interest.

The Court also noted and that there was no objection by Mr. Edward Blair to the application to appoint him as the representative party for the respondent in these proceedings.

The Court was cognizant of rule 21.2(7) of the CPR which dictates that if the court directs that a person not already a party is to be a representative defendant, it must make an order adding that person as a defendant and granted the application.

Case Name:

Dwight Berry

Applicant

and

Mauricetine Benjamin

Respondent

**[SKBMCVAP2024/0004]
(Saint Christopher & Nevis)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant: Mr. E. Anthony Ross KC

Respondent: Ms. Delara Taylor

Issue:

Application for request for further directions

Result/Order:

IT IS HEREBY ORDERED THAT:

1. Time is extended to Wednesday, 10th December 2025 at 4:00 pm for the Magistrate's Court to comply with the order of Ellis JA dated 24th June 2025, failing which an affidavit giving reasons for the non-compliance shall be filed.
2. The Magistrate's Court, shall by Wednesday 10th December 2025, file and serve on the appellant, a complete record of the proceedings, supplementing what was filed as the Appeal Record on 22nd October 2024, to include:
 - i. Written submissions of the appellant/applicant submitted on 16th February 2024;
 - ii. All transcripts and orders for hearings on 23rd and/or 24th October 2023, 26th October 2023, 12th January 2024, and 27th May 2024 including what was read into the record on 27th May 2024.
3. The Registrar of the High Court shall serve a copy of this order on the Magistrate's Court within 7 days of the date of this order and provide proof of service thereof.

Reason:

The Court noted that there had been no compliance with the amended order of Ellis JA dated 24th June 2025 and no explanation provided.

The Court considered rule 26.1(k) of the Eastern Caribbean Supreme Court Civil Procedure Rules (Revised Edition) 2023 which provides that the court may extend or shorten the time for compliance with any rule, practice direction, order or direction of the court.

The Court was of the view that the complete record of the proceedings in the Magistrate's Court is essential to the progress of the appeal and extended the time for compliance with its earlier amended order dated 24th June 2025.

Case Name:

Howard Anthony Lewis

Applicant

and

SIBEW PTY Ltd

Respondent

**[NEVHCVAP2025/0026]
(Saint Christopher & Nevis)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant: Mr. Terence V. Byron

Respondent: N/A

Issue:

Application for leave to appeal

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall procure a settled and approved copy of the order of Thompson, J dated 30th September 2025, forthwith.**
- 2. The application for leave to appeal is adjourned for further consideration on the papers pending receipt by the Court of Appeal of the settled and approved copy of the order for hearing before a single judge at the next Chamber Hearing scheduled for 16th December 2025.**

Reason: The Court considered rule 62.5(2) of the Eastern Caribbean Supreme Court Civil Procedure Rules (Revised Edition) 2023 which provides that a copy of the order which is the subject of the appeal must, wherever practicable, be attached to the notice of appeal.

The Court was of the view that the absence of the written order, which is the subject of the application, directly impacts its capacity to determine whether the applicant has a realistic prospect of success of appeal and directed the registrar to procure a settled and approved copy of the said order.

Case Name: **Jeremiah Norbert**
Applicant
and
Mickey Fortune
Respondent
[SLUHCVAP2025/0013]
(Saint Lucia)

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:
Applicant: Mr. Saleem B.K. Charles
Respondent: Ms. Mercaira Malaykhan

Issue: Application for extension of time to serve the respondent with the notice of appeal

Result/Order:

IT IS HEREBY ORDERED THAT:

1. The application for an extension of time to serve the notice of appeal filed on 31st October 2025 is granted.
2. The application for an extension of time to file and serve the record of appeal/bundle filed on 31st October 2025 is granted.
3. The notice of appeal and record of appeal/bundle is deemed properly served on 27th October 2025.
4. The respondent is granted relief from sanctions.
5. There shall be no order as to costs.

Reason:

The Court considered rule 62.19(1)(c) of the Civil Procedure Rules (Revised Edition) 2023 which outlines that a single judge may make orders for extension or abridgement of any time limit prescribed in this part.

The Court also considered the principles upon which an extension of time is granted as enunciated in *Carleen Pemberton v Mark Brantley SKBHCVAP2011/0009* (delivered 14th October 2011, unreported) and *John Cecil Rose v Anne Marie Uralis Rose Saint Lucia Civil Appeal No. 19 of 2003* (delivered 22nd September 2003, unreported) which are the length of delay; the reasons for delay; and the chances of the appeal succeeding if the extension is granted.

The Court noted that by order dated 23rd September 2025 the appellant was granted leave to appeal the decisions of 10th March 2025 and 7th July 2025, and the appellant was directed to file and serve the notice of appeal within twenty-one (21) days of that order.

The Court also noted that the appellant filed his notice of appeal on 15th October 2025, within the prescribed period and the bundle/record of appeal on 17th October 2025.

The Court had regard to the fact that the respondent was personally served with the appeal documents on 17th October 2025 and that the respondent's legal practitioner was subsequently served by email on 27th October 2025.

Thus, the Court was of the view that in either circumstances the delay was not inordinate, and that there is no evidence of prejudice to the respondent, as the appeal has not yet been set down for hearing or case management.

Further, the Court was thus of the view that given that the appeal is at the stage where the notice of appeal has been filed and served, the delay in service was not inordinate, and there is no prejudice to the respondent, the appellant having met the threshold for the grant of an extension of time, ought to be permitted to have the notice of appeal deemed duly and properly served.

Case Name:

Romano Jacobs

Applicant

and

The Commissioner of Police

Respondent

**[SVGMCRAP2024/0018]
(Saint Vincent & the Grenadines)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant: In Person
Respondent: Office of the Director of Public Prosecutions

Issue: Application for bail

Result/Order: IT IS HEREBY ORDERED THAT:

1. The application for bail pending the determination of the appeal filed on 21st October 2025 is dismissed.
2. The Registrar of the High Court shall serve a copy of this order on the applicant and the respondent within 7 days and shall provide proof of service thereof.

Reason: The Court considered the principles upon which bail pending appeal ought to be granted as enunciated in *The State v Lynette Scantlebury (1976) 27 WIR 103*. These principles being that while the Court has the jurisdiction to grant bail pending the determination of an appeal, its discretion must be exercised judicially and only in very exceptional circumstances, such as where the appellant is likely to serve the sentence before the appeal is heard or where the grounds of appeal are so strong that prima facie the appeal is likely to succeed, was considered.

The Court was of the view that the applicant did not provide any evidence which reveals exceptional circumstances required for granting bail pending the hearing and determination of the appeal and thus dismissed the application for bail.

Case Name: Nelson Callwood

Applicant

and

The King

Respondent

**[BVICRAP2022/0005]
(Territory of the Virgin Islands)**

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Mr. David A. Penn

Respondent: The Office of the Director of Public Prosecutions

Issue: Application for extension of time – Application for relief from sanctions

Result/Order: IT IS HEREBY ORDERED THAT:

1. The application for extension of time and relief from sanctions is granted.
2. The applicant shall file his submissions and authorities on or before 28th November 2025.
3. The respondent shall file and serve written submissions with authorities on or before 26th December 2025.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 12th January 2026.
5. This appeal will be listed for hearing at a Court of Appeal sitting for the Territory of the Virgin Islands on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

- 6. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.**

Reason:

The Court considered rule 9 of the Eastern Caribbean Supreme Court of Appeal Rules 1968 (“the Court of Appeal Rules”) which provides, inter alia, that the Court may enlarge or abridge the time appointed by these Rules, or fixed by an order enlarging time, for doing any act or taking any proceeding, upon such terms (if any) as the justice of the case may require, and any such enlargement may be ordered although the application for the same is not made until after the expiration of the time appointed or allowed, or the Court may direct a departure from these Rules in any other way where this is required in the interests of justice.

The Court was of the view that while the delay is inordinate and the reasons advanced amount to bare assertions with no evidence provided in support of the same, the applicant has advanced grounds of appeal which demonstrate a realistic prospect of success. The Court was also of the view that the prejudice faced by the appellant is greater than the respondent if the application is not granted and that it is in the interests of justice that the applicant be granted an extension of time.

Additionally, the Court noted that there is no sanction imposed for failure to file submissions by the order dated 10th June 2025 which directed the appellant to file and serve written submissions with authorities on or before 31st July 2025. Additionally, the Court noted that the affidavit of service filed on 21st September 2022 evidencing service of the authorization code on the respondent.

Further, the Court considered that there is no opposition to the application for an extension of time and relief from sanctions from the respondent and granted the extension of time and relief from sanctions requested.

Case Name:

**Marcus Chan Jau Chwen
(As prospective administrator pending suit of
the BVI Estate of Lim Siew Kim)**

Applicant

and

- 1. Satharuban Sivasubramaniam**
- 2. Khoo Siew Kiat**
- 3. CO Services (BVI) Ltd.**
- 4. Ampletree Enterprises Limited**

Respondents

**[BVIHCMAP2025/0023]
(Territory of the Virgin Islands)**

Date: **Tuesday, 18th November 2025**

Before **The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant: **Mr. James Petkovic**

Respondents: **N/A**

Issue: **Application for leave to appeal**

Result/Order: **IT IS HEREBY ORDERED THAT:**

- 1. The applicant is granted leave to appeal the order of Justice Gerhard Wallbank dated 18th September 2025.**
- 2. The applicant shall file their notice of appeal on or before 28th November 2025 and thereafter the appeal shall proceed in accordance with**

the Civil Procedure Rules (Revised Edition) 2023.

3. Costs of this application are to be costs on appeal.

Reason:

The Court considered rule 62.2(8) of the Civil Procedure Rules (Revised Edition) 2023 which states that leave to appeal may be given only where (a) the court considers that the appeal would have a realistic prospect of success; or (b) there is some other compelling reason why the appeal should be heard.

Further, the Court considered the principles for the grant of leave to appeal as stated in *Othneil Sylvester v Faelleseje Civil Appeal No. 5 of 2005 (delivered 20th February 2006, unreported)* and in *Cage St. Lucia Limited v Treasure Bay (St. Lucia) 2012, unreported*), most notably that an applicant must show that the intended appeal has a realistic prospect of success, which is a heavier burden than showing only that he has an arguable appeal.

The Court was thus of the view that the applicant has met the threshold for a grant of leave to appeal.

Case Name:

**China National Gold Group Hong Kong
Limited**

Applicant

and

- 1. Global Mining Development LP**
- 2. Gerald Metals LLC**

Respondents

**[BVIHCMAP2025/0020]
(Territory of the Virgin Islands)**

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Ms. Rosalind Nicholson

Respondents: Mr. Jonathan Addo

Issue: Application for consolidation of appeals

Result/Order: IT IS HEREBY ORDERED THAT:

1. The Recusal Appeal, the Discharge Appeal and the Contempt Appeal shall be managed and heard together.
2. The written submissions and bundles already filed in each appeal shall stand as filed and any remaining written submissions and bundles to be filed in any of the appeals shall, upon filing, be treated as filed in the jointly managed appeal proceedings.
3. Any document required by directions applicable to all of the appeals, or otherwise filed by the parties for the purposes of all of the appeals, may be filed once, and such filing shall be treated as effective in each of the appeals.
4. Each of the appeals shall otherwise retain its separate appeal number, grounds of appeal, and procedural identity, and no consolidated notice of appeal or record is required.
5. The costs of this application be in the respective appeals.
6. The appeals will thereafter progress in accordance with the provisions of the Eastern Caribbean Supreme Court Civil Procedure Rules (Revised Edition) 2023.

Reason:

The Court considered that all three appeals arose from and concerned the same underlying facts and that the parties consented to them being managed and heard together.

The Court also considered that it would be in the interests of justice to grant the application as it would further the Court's overriding objective and granted the application.

Case Name:

**China National Gold Group Hong Kong
Limited**

Applicant

and

- 1. Global Mining Development LP**
- 2. Gerald Metals LLC**

Respondents

- 3. Soremi Investments Limited**
 - 4. Societe De Recherche et D'Exploitation
Miniere SA**
- Defendants in the court below**

**[BVIHCMAP2025/0021]
(Territory of the Virgin Islands)**

Date:

Tuesday, 18th November 2025

Before:

**The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]**

On paper:

Applicant:

Ms. Rosalind Nicholson

Respondents: Mr. Jonathan Addo

Issue: Application for consolidation of appeals

Result/Order: IT IS HEREBY ORDERED THAT:

1. The Recusal Appeal, the Discharge Appeal and the Contempt Appeal shall be managed and heard together.
2. The written submissions and bundles already filed in each appeal shall stand as filed and any remaining written submissions and bundles to be filed in any of the appeals shall, upon filing, be treated as filed in the jointly managed appeal proceedings.
3. Any document required by directions applicable to all of the appeals, or otherwise filed by the parties for the purposes of all of the appeals, may be filed once, and such filing shall be treated as effective in each of the appeals.
4. Each of the appeals shall otherwise retain its separate appeal number, grounds of appeal, and procedural identity, and no consolidated notice of appeal or record is required.
5. The costs of this application be in the respective appeals.
6. The appeals will thereafter progress in accordance with the provisions of the Eastern Caribbean Supreme Court Civil Procedure Rules (Revised Edition) 2023.

Reason: The Court considered that all three appeals arose from and concerned the same underlying facts and that the parties consented to them being managed and heard together.

The Court also considered that it would be in the interests of justice to grant the application as it would further the Court's overriding objective and granted the application.

Case Name:

**China National Gold Group Hong Kong
Limited**

Applicant

and

**1. Global Mining Development LP
2. Gerald Metals LLC**

Respondents

**[BCMAP2024/0027]
(Territory of the Virgin Islands)**

Date: Tuesday, 18th November 2025

Before: The Hon. Mr. Gerard St. C. Farara, Justice of Appeal
[Ag.]

On paper:

Applicant: Ms. Rosalind Nicholson

Respondents: Mr. Jonathan Addo

Issue: Application for consolidation of appeals

Result/Order: IT IS HEREBY ORDERED THAT:

1. The Recusal Appeal, the Discharge Appeal and the Contempt Appeal shall be managed and heard together.

2. The written submissions and bundles already filed in each appeal shall stand as filed and any remaining written submissions and bundles to be filed in any of the appeals shall, upon filing, be treated as filed in the jointly managed appeal proceedings.
3. Any document required by directions applicable to all of the appeals, or otherwise filed by the parties for the purposes of all of the appeals, may be filed once, and such filing shall be treated as effective in each of the appeals.
4. Each of the appeals shall otherwise retain its separate appeal number, grounds of appeal, and procedural identity, and no consolidated notice of appeal or record is required.
5. The costs of this application be in the respective appeals.
6. The appeals will thereafter progress in accordance with the provisions of the Eastern Caribbean Supreme Court Civil Procedure Rules (Revised Edition) 2023.

Reason:

The Court considered that all three appeals arose from and concerned the same underlying facts and that the parties consented to them being managed and heard together.

The Court also considered that it would be in the interests of justice to grant the application as it would further the Court's overriding objective and granted the application.