

**EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL**

CHAMBER HEARING

29th July 2025

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mr. Trevor Ward, Justice of Appeal

Case Name: Neil Robert Suter
v

Oceans Forward Inc

**[DOMHCVAP2024/0004]
Commonwealth of Dominica**

Date: Tuesday, 29th July 2025

On paper: Applicant: Ms. Hazel Johnson

Issues: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The applicant does not require leave to appeal the order of Master Cenac-Dantes dated 5th February 2024 which refused to discharge the interim freezing injunction and which is already the subject of appeal by the applicant's notice of interlocutory appeal filed on 27th February 2024.

Reason: The Court had regard to section 30(2)(g)(ii) of the Eastern Caribbean Supreme Court (Dominica) Act

and to the case of HCVAP2009/002 Danone Asia PTE Limited et al v Golden Dynasty Enterprise Limited et al and noted that the applicant did not need leave to appeal the order refusing to discharge an interim freezing injunction.

Case Name:

Abel David

v

**The Attorney of the Commonwealth of
Dominica**

**[DOMHCVAP2025/0003]
Commonwealth of Dominica**

Date:

Tuesday, 29th July 2025

On paper:

Applicant:

Mr. Henry Shillingford

Respondent:

Ms. Juliette Theophile

Issues:

Application for an extension of time to file a notice of appeal – Relief from sanctions – Stay of execution – Application for appeal to proceed as a summary and expedited appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The applicant's application for an extension of time to file the notice of appeal is dismissed.**
- 2. The applicant's other applications for orders, specifically the application for relief from sanctions, the application for a stay of execution and the request for the appeal to proceed as a CPR 26.7 summary appeal or a CPR 26.8 expedited appeal, fall away as a direct consequence of the dismissal of the**

application to extend time to file the notice of appeal.

3. The applicant shall pay the respondent's costs of this application to be assessed if not agreed by the parties within 14 days.

Reason:

The Court was of the view that the applicant had not met the threshold for the grant of an extension of time including that the delay was inordinate, the reasons for the delay were unsatisfactory and the grounds of appeal did not demonstrate a realistic prospect of success.

Case Name:

Warren Cassell

v

The Superintendent of Police

[MNIHCVAP2025/0006]

Montserrat

Date:

Tuesday, 29th July 2025

On paper:

Applicant:

In person

Issues:

Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The court's office in the territory of Montserrat shall provide this Court with a filed copy of an affidavit of service evidencing service of the chamber order dated 24th June 2025 and a copy of this order on the applicant within 7 days of the date of this order.

2. Unless the applicant files an affidavit in support of the application for leave to appeal within 7 days of being served with this order, the application for leave shall stand dismissed.
3. The application for leave to appeal the order of the Honourable Cottle J filed on 14th March 2025 is adjourned for consideration at the next Chamber Hearing of the Court scheduled for 23rd September 2025.

Reason:

The Court had not had sight of an affidavit of service evidencing service of the previous chamber order dated 24th June 2025 on the applicant.