

**EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL**

CHAMBER HEARING

30th November 2022

ORAL HEARING

Before: The Hon. Mde. Vicki-Ann Ellis, Justice of Appeal

Case Name: Ng Min Hong
Applicant/First Defendant

and

Somarlie Lie
Respondent/Claimant
Success Overseas Finance Limited
Third Defendant

**[BVIHCMAP2022/0068]
Territory of the Virgin Islands**

Date: Wednesday 30th November 2022

Oral Hearing:

Applicant:	Mr. Alain Choo-Choy KC
Respondent:	Mr. Paul Chaisty KC with him Mr. Richard Evans, Dr. Alecia Johns and Mr. Benjamin Mellett

Issues: Application for leave to appeal – Application for a stay

Result / Order: IT IS HEREBY ORDERED THAT:
1. The 30th November 2022 listing be adjourned part heard to 20th January 2023 for the completion of oral submissions with a time estimate of 2 hours (the "Adjourned Hearing").

2. The transcript of the hearing of the Unless Order Application before Wallbank J on 14th November 2022 be provided to the parties and this Court by 9th December 2022.
3. In the event the leave application is granted at the Adjourned Hearing, the applicant's appeal be listed for remote hearing at the sitting of the Court of Appeal in Grenada in the week commencing 20th February 2023 with a time estimate of 4 hours.
4. Costs of the leave application and stay application be reserved.

Reason:

After hearing the submissions of the applicant in support of his leave and stay applications and the respondent having started his submissions in opposition, the Court indicated its concerns about whether the applications were pre-mature. There had not been a transcript of the proceedings and a copy of the sealed order being appealed, yet available before the Court. The matter was therefore adjourned part heard, to allow for the applicant to obtain the transcript and to provide the Court and parties with same.