

STATUS HEARING
ANTIGUA AND BARBUDA

22nd May 2020

Case Name: Treetops Garden Centre Limited

v

St. John's Development Corporation

[ANUHCVP2014/0033]

Date: Friday, 22nd May 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Joanne Massiah
Respondent:	No appearance

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

Upon the Court noting the indication from counsel for the appellant that the parties are in settlement discussions and request an adjournment to continue the same, the matter is adjourned until the next status hearing of the Court of Appeal in Antigua and Barbuda scheduled for 21st September 2020, unless a consent order is sooner filed.

Reason: Counsel for the appellant offered an apology on behalf of counsel for the respondent for his absence. Counsel for the appellant indicated that she has been in negotiations with counsel for the respondent with the intention to arrive

at a consensus position on the matter. However, due to the Covid-19 pandemic, negotiations were aborted. Counsel therefore indicated that both counsel agreed to the request for an adjournment in light of the circumstances.

Case Name: **Jessica Hood**
v
[1] Free Trade and Processing Zone Commission
[2] Houghton Forde
[3] Vere Carbon
[4] Angella Gonsalves
[ANUHCVP2012/0018]

Date: **Friday, 22nd May 2020**

Coram: **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:
Appellant: **Dr. David Dorsett**
Respondents: **No appearance**

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

1. The matter will be adjourned to the next status hearing of the Court of Appeal in Antigua and Barbuda scheduled for 21st September 2020, for the third respondent to indicate whether he is interested in pursuing the counter appeal which was filed in this matter.

2. The Registrar of the High Court shall serve a copy of this order on the first to third respondents and shall provide proof of service thereafter.

Reason: Counsel for the appellant has discontinued the appeal, however there is a counter appeal in the matter filed by the third respondent. The Court was uncertain as to the position of the third respondent in relation to the counter appeal, and given the absence of the third respondent the Court therefore adjourned the matter.

Case Name: [1] Rona Henry
[2] Eric Henry
v
Tropic Builders Limited
[ANUHCVP2018/0046]

Date: Friday, 22nd May 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellants: Mr. Jomokie Phillips holding for Ms. Kalisia Marks
Respondent: Mr. Kendrickson Kentish holding for Mr. John Fuller

Issues: Status of the matter

Type of Order: Directions

Result / Order:
IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written

submissions with authorities on or before 22nd June 2020.

2. The appellants shall file and serve written submissions with authorities in reply, if necessary on or before, 7th July 2020.
3. The hearing of the appeal is adjourned to the next Court of Appeal Sitting in Antigua and Barbuda during the week commencing 28th September 2020.

Reason: The record of appeal and written submissions for the appellant having both been filed on 16th July 2019, the Court was of the view that further directions were required for the matter to proceed.

Case Name: Yida Zhang
v
Lux Location Limited
[ANUHCVP2018/0013]

Date: Friday, 22nd May 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Dr. David Dorsett
Respondent: Mr. Andrew O’Kola

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

On the consent of the parties, the matter is

adjourned to the next status hearing of the Court of Appeal in Antigua and Barbuda scheduled for 21st September 2020, for the parties to provide an update in relation to the status of the pending applications in the High Court in relation to this matter.

Reason: Counsel both agreed that in light of other ongoing applications in this matter in the court below, it may not be practical for this matter to yet proceed, despite the judgment of Robertson J having been delivered. The parties consented that this status quo should be kept until the other applications have been determined.

Case Name: Ian Hughes
v
The Queen
[ANUHCRA2018/0003]

Date: Friday, 22nd May 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Jomokie Phillips holding for Ms. Tana'ania Small Davis
Respondent: Ms. Rashida Jonas holding for the Director of Public Prosecutions

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

The matter is adjourned until the next status hearing

of the Court of Appeal in Antigua and Barbuda
scheduled for 21st September 2020.

Reason:

The appellant indicated that requests were made for the judge's notes taken during the visit to the locus in quo, however, the High Court office has confirmed that the judge did not have any notes taken at the locus in quo. The appellant further indicated that requests were made for the judge's notes of evidence, however the High Court cannot locate the judge's note book. The appellant therefore asked that the matter be adjourned to the next status hearing to allow counsel to put in an application to amend the grounds of appeal in light of the unavailability of the judge's notes. The respondent had no objection to the request for an adjournment.