

CHAMBER HEARING

June 2016

		<u>MATTERS DEALT WITH ON PAPER</u>
Before:		The Hon. Mr. Davidson K. Baptiste, Justice of Appeal
Case Name:		Henry Owens III v Anguilla Partnership Enterprises Limited [AXAHCVAP2016/0004] (Anguilla)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Ms. Tara Carter (Carter and Associates)
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal the order of Master Corbin Lincoln delivered on 19th May 2016, refusing the application to set aside the default judgment in the matter AXAHCVAP2016/0023. 2. The applicant is to file a notice of appeal within 21 days of the date of this order.
Case Name:		IN THE MATTER of the Registered Land Act, Revised Statutes of Anguilla, Chapter R30, Section 147 v

		IN THE MATTER of an Appeal by Collins Richardson, Carolyn Richardson (Administrator of the Estate of John Samuel Richardson); Boswell Richardson; Calvin Richardson; Leslie Richardson as Administrator of the Estate of Alma Richardson; Margie Hughes as Administrator of the Estate of Evangeline Hughes; Estell Hughes as Administrator of the Estate of Samuel Benjamin Richardson; Calvin Richardson as Administrator of the Estate of Victor Richardson; Robert Austin Richardson as Administrator of the Estate of Eneria Richardson; Royston Richardson as Administrator of the Estate of James Richardson; Oliver MacDonna as Administrator of the Estate of Jane Rebecca Richardson and Sybil Rhymer as the Administrator of the Estate of Florence Richardson against a decision of the Registrar of Lands dated 28th September 2010 and 7th July 2011 [AXAHCVAP2016/0002] (Anguilla)
Date:		Tuesday, 28th June 2016
On paper:		
	Appellants/ Applicants:	Alex Richardson & Associates
	1st to 5th Respondents:	Mr. Kerith Kentish (Joyce Kentish & Associates)
	7th Respondent:	Wigley Chambers instructed by Chancery Lane Chambers
	8th Respondent:	Attorney General's Chambers
Issue:		Joint application to dismiss the appeal

Result / Order:		IT IS HEREBY ORDERED THAT: The application to dismiss the appeal filed on 3 rd June 2016 and the application to discharge or revoke the order of a single judge are adjourned to the next sitting of the Court of Appeal in Anguilla during the week commencing 12 th December 2016.
Case Name:		Canisby Limited v Flat Point Development [ANUHCVP2016/0005] (Antigua and Barbuda)
Date:		Tuesday, 28th June 2016
On paper:		
	Appellant/ Applicant:	Ms. Michelle G. Sterling (Rika Bird & Associates)
	Respondent:	Ms. Jacqueline Walwyn (The Law Cottage)
Issues:		Application for notice of appeal to be struck out/appellant bear costs of application – Application for extension of time to file and serve notice of opposition, submissions in opposition – Application for extension of time to file submissions in support/relief from sanctions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The notice of application to strike out the notice of appeal is dismissed. 2. The time for the applicant to file and serve written submissions in support of the appeal is extended to 31 st May 2016. 3. The written submissions filed on 31 st May 2016 are deemed properly filed, notwithstanding that they

		were filed and served after the notice of appeal was filed and without stating in the heading that the appeal is an interlocutory appeal in accordance with CPR 62.10(2). 4. The respondent's notice of opposition to the notice of appeal filed on 10th May 2016 is deemed validly filed. 5. The respondent is to file and serve written submissions in opposition to the appeal on or before 29th July 2016. 6. Thereafter, the appeal is adjourned to the sitting of the Full Court in Antigua and Barbuda during the week commencing 24th October 2016.
Reason:		The Court noted that the application to strike out the notice of appeal is predicated upon non-compliance with CPR 61.10(1), notably the failure to file and serve written submissions in support of the appeal, with the notice of appeal. The Court was of the view that striking out the notice of appeal would be a disproportionate sanction and would not further the overriding objective in enabling the Court to deal with the case justly.
Case Name:		Kings Casino Limited v [1] Gayle Stratton-Matthew [2] Aritha Durand [3] Mary Otto [ANULTAP2016/0001] (Antigua and Barbuda)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Mr. John Fuller
	Respondents:	James Dublin & Associates

Issues:		Application for leave to appeal out of time – Application to stay of proceedings pending the hearing of the application
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal out of time and for a stay is to be heard by the Full Court at its next sitting in Antigua and Barbuda during the week commencing 24th October 2016.
Case Name:		Antigua Commercial Bank v Denise Armstrong [ANULTAP2016/0002] (Antigua and Barbuda)
Date:		Tuesday, 28th June 2016
	Applicant:	Ms. E. Kamilah Roberts
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The applicant is granted leave to appeal the order of the Industrial Court contained in its decision dated 4th May 2016.
Case Name:		[1] Leonard St. Bernard [2] Recia Charles

		v Teamwork Construction [GDAHCVAP2015/0019] (Grenada)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicants:	Justis Chambers
Issue:		Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicants are granted an extension of time to file the notice of appeal with supporting affidavits and exhibits. 2. The time for filing the notice of appeal is extended to 13 th July 2016.
Case Name:		Sheldon Bain v The Queen [GDAHCRAP2016/0007] (Grenada)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
	Respondent:	The Director of Public Prosecutions
Issue:		Application for leave to appeal against conviction and sentence

Result / Order:		IT IS HEREBY ORDERED THAT: The matter is adjourned to the next status hearing in Grenada during the week commencing 5 th December 2016.
Reason:		The Court noted the orders of Thom and Michel JJA dated 23 rd April 2016 and 23 rd May 2016, respectively, directing that Registrar of the High Court provide the Court with a copy of the minute of conviction and sentence within 14 days of the date of the order and also noted that it appeared that the orders have not yet been complied with.
Case Name:		Carvel Francis v The Queen [GDAHCRAP2016/0011] (Grenada)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Law Office of Danny Williams & Co.
Issue:		Application for leave to appeal against conviction and sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal against conviction and sentence. 2. The notice of appeal dated 21 st April 2016 and filed on 22 nd April 2016 is deemed properly filed.
Reasons:		The Court noted the order of Michel JA dated 27 th May 2016 and that no minute of conviction and sentence

		has been filed.
Case Name:		Godwin Bibby v [1] Jacqueline Rosemary Polling [2] Republic Bank (Grenada) Ltd. [GDAHCVAP2016/0023] (Grenada)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
	1st Respondent:	Kim George & Associates
	2nd Respondent:	Renwick & Payne
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal is adjourned to the sitting of the Full Court in Grenada during the week commencing 5 th December 2016.
Case Name:		Hassan Brothers Limited v Heida Rahim (As Agent for Estate of Ruth Rahim) [GDAHCVAP2015/0024] (Grenada)

Date:		Tuesday, 28th June 2016
On paper:		
	Appellant/ Applicant:	Justis Chambers
	Respondent:	Lisa Taylor & Co.
Issue:		Application for relief from sanctions for failure to provide security for costs
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant/applicant is granted relief from sanctions for failure to comply with order dated 21st January 2016, requiring the appellant to pay security for costs in the amount of \$7,500.00 into court within 7 days of the date of that order. 2. The appellant/applicant shall pay security for costs in the sum of \$7,500.00 into court within 7 days of the date of this order. 3. Unless the security for costs is paid into court within 7 days of the date of this order, the appeal shall stand dismissed.
Case Name:		Denis Thomas v [1] Harry Ranger [2] Vinnes Ranger [GDAHCVAP2011/0006] (Grenada)
Date:		Tuesday, 28th June 2016
On paper:		
	Respondents/ Applicants:	Henry C. Paryag

Issues:		Application to dismiss appeal for want of prosecution – Application for extension of time to complete appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant is to provide evidence of service of the application filed on 27th June 2016 on the respondents. 2. Both applications are adjourned to the next chamber hearing scheduled for 26th July 2016.
Case Name:		[1] Director of Montserrat Customs & Revenue Services [2] The Attorney General of Montserrat v John Roosevelt Lee [MNIHCVAP2016/0003] (Montserrat)
Date:		Tuesday, 28th June 2016
On paper:		
	Appellants/ Applicants:	Ms. Amelia H. Daley, Senior Crown Counsel
	Respondent:	Mr. Sylvester Carrot
Issue:		Application for a stay of execution
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellants' application in MNIHCVAP2016/0003 filed on 15th April 2016 is hereby refused, the Court not being satisfied that the appellants have demonstrated that the threshold for a stay of execution has been met.

		2. The appellants shall pay the respondents costs on both applications, in any event assessed at \$1,000.00. 3. Appeal MNIHCVAP2016/0002 John Roosevelt Lee v Director General of Montserrat Customs and Revenue Service et al having been discontinued by the notice of discontinuance filed on 20th June 2016 is hereby dismissed.
Case Name:		Junction Trucking Limited v Deswick Halley [MNILTAP2016/0001] (Montserrat)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Mr. David Brandt
	Respondent:	Ms. Jean E. H. Kelsick
Issues:		Case Management of case stated appeal – Application to strike out fixed date claim – Application for extension of time to apply for permission to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The notice of application of Deswick Halley filed on 23rd May 2016 and the application dated and filed on 8th June 2016, are adjourned to the sitting of the Full Court in Montserrat during the week commencing 24th October 2016.

Case Name:		Juliet Sutherland v Bank of Saint Lucia [SLUHCRA2016/0005] (Saint Lucia)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Glitzenhern Augustin & Co.
Issue:		Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application extension of time to file the notice of appeal is granted. 2. The notice of appeal is to be filed within 14 days of the date of this order.
Case Name:		Curt James v The Queen [SLUHCRA2016/0002] (Saint Lucia)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Fraser & Company
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERD THAT: The application for leave to appeal against the order of Cumberbatch J dated 16th April 2016 is dismissed for

		want of prosecution.
Case Name:		[1] Andrew Benjamin [2] Maria Desir v The Attorney General [SLUHCVAP2016/0011] (Saint Lucia)
Date:		Tuesday, 28 th June 2016
On paper:		
	Applicant:	Fraser & Company
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The hearing of the application for leave to appeal against the oral decision of the Learned Master made on 10th May 2016 is adjourned to the Full Court at its sitting in Saint Lucia during the week commencing 19th September 2016.
Case Name:		[1] Peter Hippolyte [2] Michael Augustin [3] Martinus Alexander v The Queen [SLUHCRAP2016/0003] (Saint Lucia)
Date:		Tuesday, 28 th June 2016

On paper:		
	Applicants:	Fraser & Company
	Respondent:	The Director of Public Prosecutions
Issue:		Application for leave to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The notice of application for leave to appeal the order of the learned judge dated 11 th February 2011 is adjourned to the Full Court at its sitting in Saint Lucia during the week commencing 19 th September 2016.
Case Name:		Adam Bilzerian v [1] Zachary Getz [2] St. Christopher Club Condominiums [3] St. Christopher Club Condominiums Homeowners Association [SKBHCVAP2016/0006] (Saint Christopher and Nevis)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Merchant & Associates
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for an order for leave to appeal against the order of Carter J dated 22nd April 2016 is granted. 2. The applicant shall file and serve a notice of

		appeal within 21 days of this order. 3. The appeal shall thereafter proceed in accordance with CPR 2000 as amended.
Case Name:		Romando Andrews v Commissioner of Police [SVGMCRAP2016/0020] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time to appeal. 2. The time for appealing is extended to 31st July 2016.
Case Name:		Alex Cupid v The Commissioner of Police [SVGMCRAP2016/0021] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016

On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The time for the applicant to appeal is extended to 31st July 2016.
Case Name:		David Ames v [1] Raymond Caldwell [2] Gordon Murdoch [SVGHCVAP2016/0014] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Mr. S. Sten Mc N. Sargeant (S. E. Commission & Co.)
	Respondents:	Ms. Kay Bacchus Browne
Issue:		Application for extension of time to file application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time for leave to appeal the orders of Master Actie dated 18th March 2016. 2. The applicant is granted leave to appeal the said order. 3. The applicant is to file the notice of appeal within

		21 days of the date of this order.
Case Name:		Sheldon John v The Queen [SVGHC VAP2016/0003] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time for leave to appeal against sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal against sentence. 2. The applicant is to file and serve his notice of appeal on or before 31st July 2016.
Reason:		The Court noted the order of Thom JA dated 26th April 2016 requesting the Registrar of the High Court to provide the Court with the minute of conviction and sentence and that same has been received. The Court further noted the order of Michel JA dated 24th May 2016 and compliance with the aforementioned order.
Case Name:		Romel Diamond v Commissioner of Police

		[SVGMCRAP2016/0008] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time within which to appeal. 2. The notice of appeal filed on 25th February 2016 is deemed properly filed.
Reason:		The Court noted the orders of Webster JA [Ag.] dated 22 nd March 2016, Thom JA dated 26 th April 2016 and Michel JA dated 24 th May 2016, ordering service of the notice of application on the Director of Public Prosecutions and the Court noted compliance with the aforementioned orders.
Case Name:		Yshangus McMillan v The Queen [SVGHCRAP2016/0004] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issues:		Application for extension of time to appeal

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for leave to appeal is granted. 2. The notice of appeal is to be filed within 21 days of the date of this order.
Case Name:		Ricky Philgence v Commissioner of Police [SVGMCRAP2016/0022] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall provide the Court with a copy of the minute of conviction and sentence of the applicant within 14 days of this order. 2. The Registrar of the High Court is to serve a copy of the application for extension of time to file a notice of appeal and the minute of conviction on the Director of Public Prosecutions within 21 days of this order. 3. The application is adjourned until the next chamber hearing on 26th July 2016.

Case Name:		Collin Blake v Commissioner of Police [SVGMCRAP2016/0023] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is to furnish the Court with a copy of the minute of conviction and sentence of the applicant within 14 days of this order. 2. The Registrar of the High Court is to serve a copy of the application for extension of time to file a notice of appeal and the minute of conviction and sentence on the Director of Public Prosecutions within 21 days of this order. 3. The application is adjourned until the next chamber hearing scheduled for 26 th July 2016.
Case Name:		Joel Payne v The Queen [SVGHCRA2016/0011] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person

Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time within which to appeal against sentence. 2. The applicant is to file his notice of appeal against sentence within 21 days of this order. 3. A copy of the warrant of commitment and this order are to be served on the Director of Public Prosecutions.
Case Name:		Ryan Corbin v The Queen [SVGHCRA2016/0010] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time within which to appeal against sentence. 2. The applicant is to file his notice of appeal against sentence within 21 days of this order. 3. A copy of the warrant of commitment and this order are to be served on the Director of Public Prosecutions.

Case Name:		Glenford Jacobs v The Queen [SVGHCRA2016/0002] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for bail pending appeal
Result / Order & Reason:		IT IS HEREBY ORDERED THAT: The application for bail pending appeal is dismissed as the applicant has not satisfied the necessary criteria.
Case Name:		Reynold Young v The Queen [SVGHCRA2016/0009] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT:

		1. The applicant is granted an extension of time to appeal. 2. The notice of appeal is to be filed and served on or before 24th July 2016.
Reason:		The Court noted the order of Thom JA dated 26 th April 2016 requesting the Registrar of the High Court to provide the Court with the minute of conviction and sentence and that same has been received. The Court further noted the order of Michel JA dated 24 th May 2016 and compliance with the aforementioned orders.
Case Name:		Denzil Sam v Commissioner of Police [SVGMCRAP2016/0028] (Saint Vincent and the Grenadines)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time to appeal. 2. The notice of appeal is to be filed within 21 days of this order
Case Name:		ABN AMRO Fund Services (Isle of Man)

		Nominees Limited (formerly Fortis (Isle of Man) Nominees Limited) and Others v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sentry Ltd) [3] Fairfield Sentry Limited (in liquidation) [BVIHCMAP2016/0011] ABN AMRO Fund Services (Isle of Man) Nominees Limited (formerly Fortis (Isle of Man) Nominees Limited) and Others v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sigma Ltd) [3] Fairfield Sigma Limited (in liquidation) [BVIHCMAP2016/0012] Bank Julius Baer & Co. Limited and Another v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Lambda Ltd) [3] Fairfield Lambda Limited (in liquidation) [BVIHCMAP2016/0013] (Territory of the Virgin Islands)
Date:		Tuesday, 28th June 2016
On paper:		
	Appellants/ Applicants:	Harney Westwood & Riegels
	Respondents:	Forbes Hare and O'Neal Webster

Issues:		Case Management – Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The s. 273/anti-suit appeals be listed for hearing immediately before the hearing of the sanction appeal. 2. The s.273/anti-suit appeals and the sanction appeal be heard by the same constitution of the Court. 3. The appeals are listed for hearing before the Court of Appeal sitting during the week commencing 21st November 2016. 4. Counsel for the appellants and respondents are to provide the Chief Registrar with mutually convenient dates within the week of 21st to 25th November 2016 for the hearing of the appeals.
Case Name:		[1]UBS AG New York [2]UBS AG Zurich [3]UBS Jersey Nominees Limited [4]UBS (Luxembourg) SA [5]UBS Deutschland AG/Dresdner Lateinamerika AG [6]UBS Fund Services (Cayman) Limited [7]UBS (Grand Cayman) Limited [8]UBS Fund Services (Ireland) Limited [9]UBS Zurich v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sentry Ltd) [3] Fairfield Sentry Limited (in liquidation) [BVIHCMAP2016/0014] [1]UBS AG New York [2]UBS AG Zurich [3]UBS Jersey Nominees Limited [4]UBS (Luxembourg) SA

		[5]UBS Deutschland AG/Dresdner Lateinamerika AG [6]UBS Fund Services (Ireland) Limited [7]UBS Zurich v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sigma Ltd) [3] Fairfield Sigma Limited (in liquidation) [BVIHCMAP2016/0015] [1]UBS AG New York [2]UBS AG Zurich [3]UBS Jersey Nominees Limited v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Lambda Ltd) [3] Fairfield Lambda Limited (in liquidation) [BVIHCMAP2016/0016] (Territory of the Virgin Islands)
Date:		Tuesday, 28 th June 2016
On paper:		
	Appellants/ Applicants:	O'Neal Webster
	Respondents:	Forbes Hare and Harney Westwood & Riegels
Issues:		Case Management – Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The s. 273/anti-suit appeals be listed for hearing immediately before the hearing of the sanction appeal. 2. The s.273/anti-suit appeals and the sanction appeal be heard by the same constitution of the Court.

		3. The appeals are listed for hearing before the Court of Appeal sitting during the week commencing 21st November 2016. 4. Counsel for the appellants and respondents are to provide the Chief Registrar with mutually convenient dates within the week of 21st to 25th November 2016 for the hearing of the appeals.
Case Name:		ABN AMRO Fund Services (Isle of Man) Nominees Limited (formerly Fortis (Isle of Man) Nominees Limited) and Others v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sentry Ltd) [3] Fairfield Sentry Limited (in liquidation) [BVIHCMAP2016/0023] ABN AMRO Fund Services (Isle of Man) Nominees Limited (formerly Fortis (Isle of Man) Nominees Limited) and Others v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sigma Ltd) [3] Fairfield Sigma Limited (in liquidation) [BVIHCMAP2016/0024] Bank Julius Baer & Co Limited and Another v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Lambda Ltd) [3] Fairfield Lambda Limited (in liquidation) [BVIHCMAP2016/0025]

		(Territory of the Virgin Islands)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicants/ Appellants:	Harney Westwood & Riegels
	Respondents:	Forbes Hare and O'Neal Webster
Issues:		Case Management – Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The s. 273/anti-suit appeals be listed for hearing immediately before the hearing of the sanction appeal. 2. The s.273/anti-suit appeals and the sanction appeal be heard by the same constitution of the Court. 3. The appeals are listed for hearing before the Court of Appeal sitting during the week commencing 21st November 2016. 4. Counsel for the appellants and respondents are to provide the Chief Registrar with mutually convenient dates within the week of 21st to 25th November 2016 for the hearing of the appeals.
Case Name:		[1]UBS AG New York [2]UBS AG Zurich [3]UBS Jersey Nominees Limited [4]UBS (Luxembourg) SA [5]UBS Deutschland AG/Dresdner Lateinamerika AG [6]UBS Fund Services (Cayman) Limited [7]UBS (Grand Cayman) Limited [8]UBS Fund Services (Ireland) Limited [9]UBS Zurich

		v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sentry Ltd) [3] Fairfield Sentry Limited (in liquidation) [BVIHCMAP2016/0026] [1] UBS AG New York [2] UBS AG Zurich [3] UBS Jersey Nominees Limited [4] UBS (Luxembourg) SA [5] UBS Deutschland AG/Dresdner Lateinamerika AG [6] UBS Fund Services (Ireland) Limited [7] UBS Zurich v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Sigma Ltd) [3] Fairfield Sigma Limited (in liquidation) [BVIHCMAP2016/0027] [1] UBS AG New York [2] UBS AG Zurich [3] UBS Jersey Nominees Limited v [1] Kenneth Krys [2] Charlotte Caulfield (Joint Liquidators of Fairfield Lambda Ltd) [3] Fairfield Lambda Limited (in liquidation) [BVIHCMAP2016/0028] (Territory of the Virgin Islands)
Date:		Tuesday, 28th June 2016
On paper:		
	Appellants/ Applicants:	O'Neal Webster
	Respondents:	Forbes Hare and Harney Westwood & Riegels

Issues:		Case Management – Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The s. 273/anti-suit appeals be listed for hearing immediately before the hearing of the sanction appeal. 2. The s.273/anti-suit appeals and the sanction appeal be heard by the same constitution of the Court. 3. The appeals are listed for hearing before the Court of Appeal sitting during the week commencing 21st November 2016. 4. Counsel for the appellants and respondents are to provide the Chief Registrar with mutually convenient dates within the week of 21st to 25th November 2016 for the hearing of the appeals.
Case Name:		[1] Magnum Investment Trading Corporation [2] Niteroi Limited v [1] The Attorney General of the Virgin Islands [2] Magistrate Ayanna Baptiste-Dabreo [BVIHCVAP2016/0004] (Territory of the Virgin Islands)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	O'Neal Webster
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal dated and filed on

		17 th May 2016 is adjourned to the sitting of the Full Court in the Territory of the Virgin Islands during the week commencing 18 th July 2016.
Case Name:		Olive Group Capital Limited v Gavin Mark Mayhew [BVIHCMAP2016/0020] (Territory of the Virgin Islands)
Date:		Tuesday, 28 th June 2016
On paper:		
	Applicant:	Harneys
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal the judgment and order if Leon J dated 29th April 2016 in Claim BVIHC(COM) 115 of 2015. 2. The costs of the application shall be costs in the appeal.
Case Name:		Central Shipping Co. Limited v Fortune Bright Global Limited [BVIHC(COM) 2015/0036] (Territory of the Virgin Islands)
Date:		Tuesday, 28 th June 2016

On paper:		
	Applicant:	Mr. Richard Evans (Conyers, Dill & Pearman)
	Respondent:	Mr. Grant Carroll (Walkers)
Issue:		Application for a stay of execution pending determination of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for a stay of the order of Leon J dated 29th April 2016 is dismissed.
Reasons:		In coming to its decision, the Court noted the general rule that there should be no stay pending appeal. The Court also considered the relevant factors that would guide the Court in the exercise of its discretion as well as the fact that the applicant has not put forward any compelling reason for the grant of the stay.
Case Name:		Edmond Colaire v The Commissioner of Police [BVIMCRAP2014/0021] (Territory of the Virgin Islands)
Date:		Tuesday, 28th June 2016
On paper:		
	Applicant:	Ms. Marie-Lou Creque, SCA Creque
Issues:		Application for attorney be removed from record
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is SCA Creque is granted leave to

		be removed as legal practitioners for the appellant. 2. A copy of this order is to be served upon the appellant within 14 days if the date of this order.
Case Name:		[1] Kandy & Kandy Limited [2] Al Dobowi Investments Limited [3] Kays Group Limited v Harjeev Singh Kandhari [BVIHCMAP2016/0021] (Territory of the Virgin Islands)
Date:		Tuesday, 28 th June 2016
On paper:		
	Applicants:	Ms. Colleen Farrington (Walkers)
Issues:		Application for leave to appeal – Application for a stay of execution of paragraph 4 of the order
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal and a stay of paragraph 4 of Bannister J made on 17th March 2016, is adjourned to the sitting of the Full Court in the Territory of the Virgin Islands during the week commencing 18th July 2016.