

CHAMBER HEARING

October 2015

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mr. Paul Webster, QC, Justice of Appeal [Ag.]

Case Name: Jenny Lindsay dba Jenny Lindsay & Associates
v
Simeon Fleming
(In his capacity as Administrator of the Estates
of the late Sarah Ann Connor aka Richardson
and Catherin Fleming, deceased)

[AXAHCVAP2015/0006]
(Anguilla)

Date: Thursday, 22nd October 2015

On paper:

Applicant: Ms. Jenny Lindsay (Jenny Lindsay & Associates)

Respondent: Mr. Kerith T. Kentish (Joyce Kentish & Associates)

Issues: Application for leave to appeal – Application for stay of execution – Application for security for costs, interim relief and further directions

Result / Order: IT IS HEREBY ORDERED THAT:
The leave granted by paragraph 1 of the order of Blenman JA dated 24th September 2015 to appeal against the order of Madam Justice Cheryl Mathurin dated 9th June 2015 is vacated unless the applicant files and serves on the respondent within 7 days of the date of this order, an application to extend the time for complying with the terms of the September 2015 order.

Reason: The Court noted that the applicant had not complied with the terms of the order of Blenman JA dated 24th

September 2015 which, at paragraph 2, required the applicant to file and serve the notice of appeal within 21 days of the order and which at paragraph 5, required the applicant to serve her written submissions on the respondent within 7 days of the order.

Case Name:

Clive Hodge
(as Administrator of the Estate of the late Rupert Hodge, deceased)

v

Elfrida Alethea Hughes
(in a personal capacity and as Administrator of the Estate of the late Leopold Bomont Hodge, deceased)

[AXAHCVAP2013/0005]
(Anguilla)

Date:

Tuesday, 20th October 2015

On paper:

**Appellant /
Applicant:**

Ms. Jenny Lindsay (Jenny Lindsay & Associates)

Respondent:

Ms. Tara Carter (Carter & Associates)

Issue:

Application for assessment of costs of injunctive relief

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The costs of the applicant in the High Court and Court of Appeal proceedings are assessed and awarded at US\$3,000.00 and US\$2,000.00 respectively, being the amounts already paid to the appellant.**
- 2. Costs of this application of EC\$500.00 to the respondent.**

Reasons:

The Court was satisfied that the respondent had paid to the appellant the sums of US\$3,000.00 and US\$2,000.00 as the costs of the injunction proceedings and the appeal respectively and that such costs exceeded the

amounts that can be recovered as assessed costs under CPR Part. 65.11, there being no special circumstances of the proceedings.

Case Name:

**Sheldon Rogers
v
Chris Smith-Brooks**

**[AXAMCVAP2015/0001]
(Anguilla)**

Date:

Tuesday, 20th October 2015

On paper:

Applicant: Ms. Tara Carter (Carter & Associates)

Respondent: Ms. Yanique L. Stewart (J.A.G. Gumbs & Co)

Issue:

Application to set aside order of magistrate or amend grounds of appeal

Result / Order:

IT IS HEREBY ORDRED THAT:

- 1. The application to set aside the ruling of the learned magistrate dated 14th July 2015 is dismissed.**
- 2. The applicant to pay \$500.00 costs of this application to the respondent.**

Case Name:

Melvin David Anderson

v

**[1] The Attorney General of Antigua and Barbuda
[2] Commissioner of Police**

**[ANUHCVP2013/0018]
(Antigua and Barbuda)**

Date: Tuesday, 20th October 2015

On paper:

Applicant: Dr. David Dorsett (Watt, Dorsett & Company)

Issue: Application for stay of execution

Result / Order: IT IS HEREBY ORDERED THAT:
The notice of application for a stay of execution of the judgment of Madame Justice Jennifer Remy dated 15th August 2013 and for costs, is dismissed with no order as to costs.

Reason: The Court noted the Court's order dated 13th July 2015 dismissing the applicant's prior application for a stay.

Case Name:

**Arthur George
Leston Jacobs
Cerene Richards
Leroy Jimmy
Otis Matthew**

In their capacities as President, Vice President, Secretary, Treasurer, and Chairman of the Disciplinary Committee respectively, and as members of the Executive Committee of The Antigua United Taxi Association

V

Maynard Williams

**[ANUHCVP2015/0028]
(Antigua and Barbuda)**

Date: Tuesday, 20th October 2015

On paper:

Applicants: Mr. Sheldon P. Bowen (Bowen & Bowen)

Issue: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The notice of application dated 17th August 2015 for leave to appeal be heard by the Full Court during its sitting in Antigua and Barbuda during the week of 7th December 2015.

Reason: The Court noted that the application was for leave to appeal against 3 separate orders and that the application was made after the time for appeal against the said orders had expired and that there was no application for extension of time to appeal against the orders. In the circumstances, the Court was minded to refuse leave and accordingly acted in accordance with rule 62.2 of the Civil Procedure Rules 2000.

Case Name: Carl Baynes
v
Ed Meyer
[ANUHCVP2015/0026]
(Antigua and Barbuda)

Date: Thursday, 22nd October 2015

On paper:
Applicant: Mr. Hugh C. Marshall Jnr. (Marshall & Co.)

Issue: Application to amend notice of appeal

Result / Order: IT IS HEREBY ORDERED THAT:
1. The applicant is granted leave to amend the notice of appeal filed on 27th July 2015 in the manner set out in the Draft Amended Notice of Interlocutory Appeal exhibited to the affidavit of Anthea Joseph as exhibit "A.J.1".

2. The costs of the application are awarded to the respondent in the sum of \$500.00.

Reason: The Court noted that there was no opposition to the application.

Case Name: Keyon Bronile Hamilton
v
Chief Magistrate
[ANUMCVAP2015/0002]
(Antigua and Barbuda)

Date: Thursday, 22nd October 2015

On paper: Applicant: Mr. Lawrence Daniels (Daniels, Phillips & Associates)

Issue: Application for stay of execution

Result / Order & Reason: IT IS HEREBY ORDERED THAT:
The applicant shall serve the notice of appeal and application for stay of execution on the Director of Public Prosecutions and provide proof of service on or before Monday, 2nd November 2015.

Case Name: Terry Herbert
v
The Queen
[ANUHCRA2015/0012]
(Antigua and Barbuda)

Date: Thursday, 22nd October 2015

On paper:

Applicant: Bowen & Bowen

Issue: Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or before 13th November 2015.
3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name:

Melville Samuel

v

Her Majesty The Queen

**[ANUHCRA2015/0013]
(Antigua and Barbuda)**

Date: Thursday, 22nd October 2015

On paper:

Applicant: Bowen & Bowen

Issue: Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and

provide proof of service on or before 6th November 2015.

2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or before 13th November 2015.
3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name:

**George Baron
v
Her Majesty The Queen**

**[ANUHCRA2015/0015]
(Antigua and Barbuda)**

Date:

Thursday, 22nd October 2015

On paper:

Applicant: Bowen & Bowen

Issue:

Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or before 13th November 2015.
3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name: **Ronald Samuel**
v
Her Majesty The Queen
[ANUHCRAP2015/0014]
(Antigua and Barbuda)

Date: **Thursday, 22nd October 2015**

On paper:
Appellant: **Bowen & Bowen**

Issue: **Application for extension of time to appeal**

Result / Order & Reason: **IT IS HEREBY ORDERED THAT:**
1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or before 13th November 2015.
3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name: **David Daniel**
v
Her Majesty The Queen
[ANUHCRAP2015/0016]
(Antigua and Barbuda)

Date: **Tuesday, 22nd October 2015**

On paper:
Applicant: **Bowen & Bowen**

Issue: Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or before 13th November 2015.
3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name:

**Judah Benjamin
v
The Chief Magistrate, District "A"
[ANUMCRAP2015/0001]
(Antigua and Barbuda)**

Date: Thursday, 22nd October 2015

On paper:

Applicant: Bowen & Bowen

Issues: Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application for extension of time to file a notice of appeal on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application for extension of time on or

before 13th November 2015.

3. The application to extend time to file a notice of appeal is adjourned to the next Chamber Hearing on 19th November 2015.

Case Name:

Vernon P. Joseph

v

Mizana Wilson

Eddie Wilson

[DOMHCVAP2014/0030]

(Commonwealth of Dominica)

Date:

Tuesday, 20th October 2015

On paper:

Applicant:

Mr. Anthony J.B. Commodore

Issue:

Application for extension of time to file and serve skeleton submissions and appeal bundles – Application for relief from sanctions

Result / Order:

IT IS HEREBY ORDERED THAT:

The appeal is struck out.

Reason:

The Court noted that the purported notice of appeal filed on 17th November 2014 was filed without leave and outside the time for appealing and that the applicant had not applied for an extension of time to appeal.

Case Name:

[1] Michael Coipel

[2] Oscar Coipel

[3] Maxmin Powell

v

Simeon Albert

**[DOMHCVAP2015/0015]
(Commonwealth of Dominica)**

Date: Tuesday, 20th October 2015

On paper:

Applicants: Dyer & Dyer

Issue: Application for counsel for first and second appellants to be removed from record

Result / Order: IT IS HEREBY ORDERED THAT:

1. The application by Dyer & Dyer to be removed from the record as legal practitioners for the appellants is granted.
2. A copy of the order is to be served on the 1st and 2nd appellants personally.

Case Name:

**[1] Marinor Enterprises Limited
[2] Michael Astaphan
v
First Caribbean International Bank (Barbados)
Ltd. formerly known as Barclays Bank Plc**

**[DOMHCVAP2013/0003]
(Commonwealth of Dominica)**

Date: Tuesday, 20th October 2015

On paper:

Applicant: Ms. Noelize N. Knight Didier (Harris and Harris)

Respondent: Mr. Alick Lawrence, SC

Issue: Application to further amend notice of appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The appellants' application to further amend the notice

of appeal filed on the 5th October 2015 is dismissed with costs to the respondent to be assessed and paid within 14 days after assessment.

Case Name: **Judith Ann Bruton Titley**
V
[1] First Fidelity Deposit Corporation
[2] Andrew Michael Austin Titley
[3] Caribbean Trust Company (Nevis) Ltd
[SKBHCVAP2015/0014]
(Federation of Saint Christopher and Nevis)

Date: **Thursday, 22nd October 2015**

On paper: **Applicant:** **Ms. Kalisia Isaacs (Myrna R. Walwyn & Associates)**

Issue: **Application for leave to appeal**

Result / Order: **IT IS HEREBY ORDERED AND DIRECTED THAT:**
The Registrar of the High Court shall bring the request for the reasons for decision to the attention of Williams J.

Reason: **The Court noted that the reasons for the decision of Williams J were not attached to the application for leave to appeal.**

Case Name: **Junior McFarlane**
V
Desdemona Henry
[SKBMCVAP2015/0005]

(Federation of Saint Christopher and Nevis)

Date: Thursday, 22nd October 2015

On paper:

Applicant: Ms. Natasha S. Grey (Chesley O. Hamilton & Associates)

Issue: Application for extension of time to file notice of appeal

Result / Order & Reason: IT IS HEREBY ORDERED THAT:
1. The applicant shall serve the application for extension of time to file a notice of appeal on the respondent and file evidence of service on or before Monday, 2nd November 2015.
2. The application is adjourned for further consideration to the next Chamber Hearing scheduled for 19th November 2015.

Case Name: Adam Bilzerian
v
[1] Gerald Lou Weiner
[2] Kathleen Weiner

[SKBHCVAP2015/0018]
(Federation of Saint Christopher and Nevis)

Date: Tuesday, 20th October 2015

On paper:

Applicant: Dr. Dennis Merchant (Merchant & Associates)

Issue: Application for leave to appeal – Application to adjourn hearing of application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The application for leave to appeal the decision of Carter J dated 17 July 2015 is adjourned to the next Chamber

Hearing on 19th November 2015.

Reason: The applicant requested an adjournment of the hearing of the application for leave to appeal.

Case Name: Jonathan David Lesfloris
v
Glenda Dale Lesfloris (nee Henry)
[SLUHCVAP2015/0018]
(Saint Lucia)

Date: Tuesday, 20th October 2015

On paper: Applicant: Ms. Wauneen Louis Harris

Issues: Application for extension of time to file notice of appeal – Alternative application for an order deeming notice of appeal filed as validly filed – Application for extension of time to file and serve skeleton arguments in support of stay – Application for leave to file further affidavit in support of application for stay

Result / Order: IT IS HEREBY ORDERED THAT:
The application for an extension of time to file a notice of appeal or to deem the notice validly filed and to file skeleton arguments in support of the application for a stay is refused.

Reason: The Court had regard to the notice of application by the applicant for an extension of time to file a notice of appeal and stay of execution of the order of Wilkinson J dated 20th April 2015, filed with supporting affidavit and exhibits on 22nd June, 2015 (“the First Application”). The Court also noted the order of Thom JA dated 24th July 2015 granting an extension of time for the applicant to

file the notice of appeal 21 days after the order (17 August 2015) and giving directions for the hearing for the applicant's stay application and that the said order was served on the chambers of the legal practitioner for the applicant on 27th July 2015.

The Court further noted that the applicant had not filed the notice of appeal and skeleton arguments on the application for stay within the period stipulated in the order of Thom JA dated 24th July 2015. The applicant filed the notice of appeal and skeleton arguments on the application for stay on 21st September 2015 and the Court was of the view that the applicant had not provided a good explanation for the delay in complying with the order of 24th July 2015.

Case Name:

Jane Moore

v

[1] Hermdrew Quality Construction Company Ltd.

[2] Herman St. Helen

[3] Andrew Anthony Skelly

**[SLUHCVP2015/0021]
(Saint Lucia)**

Date:

Tuesday, 20th October 2015

On paper:

Applicant:

In person

Issues:

Application for extension of time to appeal – Application for stay of execution

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

Unless the applicant complies with the order of Baptiste JA dated 22nd September 2015 on or before 6th November 2015, the application for an extension of time within which to file a notice of appeal will stand dismissed.

Case Name: **The Medical and Dental Council**
v
Dr. Shaelle Durand
[SLUHCVAP2015/0024]
(Saint Lucia)

Date: **Tuesday, 20th October 2015**

On paper:

Applicant / **Ms. Wauneen Louis-Harris**
Respondent:

Respondent / **Ms. Lydia Faisal**
Applicant:

Issues: **Application for leave to appeal – Alternative application for extension of time to file notice of appeal – Application for stay of execution – Application by respondent to strike out paragraph of affidavit in support of application for leave to appeal**

Result / Order: **IT IS HEREBY ORDERED AND DIRECTED THAT:**
The notices of application filed on 1st October 2015 and 13th October 2015, respectively shall be heard by the Full Court on Monday, 26th October 2015 at the Court of Appeal sitting in Saint Lucia.

Reason: **The Court was minded to refuse leave. Accordingly, the Court referred the matter for hearing by the Full Court pursuant to rule 62.2 of the Civil Procedure Rules 2000.**

Case Name: **Edward Hazellwood**
v

The Commissioner of Police

**[SVGMCRAP2015/0024]
(Saint Vincent and the Grenadines)**

Date: Friday, 23rd October 2015

On paper:
Applicant: In person

Issue: Application for extension of time within which to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for extension of time within which to appeal is granted.
2. The applicant shall file and serve a notice of appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the requirements for the grant of an extension of time.

Case Name: Shannon Richards
v
The Commissioner of Police

**[SVGMCRAP2015/0022]
(Saint Vincent and the Grenadines)**

Date: Friday, 23rd October 2015

On paper:
Applicant: In person

Issue: Application for extension of time to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
3. The application for extension of time within which

- to appeal is granted.
4. The applicant shall file and serve a notice of appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the requirements for the grant of an extension of time.

Case Name: Akindor Matthews
v
The Commissioner of Police
[SVGMCRAP2015/0023]
(Saint Vincent and the Grenadines)

Date: Friday, 23rd October 2015

On paper:
Applicant: In person

Issue: Application for extension of time to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for extension of time within which to appeal is granted.
2. The applicant shall file and serve a notice of appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant met the requirements for the grant of an extension of time.

Case Name: James Gordon
v
The Queen

**Result / Order &
Reason:**

**IT IS HEREBY ORDERED AND DIRECTED THAT:
The Registrar of the High Court shall serve the
application for an extension of time to appeal on the
Director of Public Prosecutions and provide evidence of
service on or before 6th November 2015.**

Case Name:

**Keithroy Franklyn
v
The Commissioner of Police**

**[SVGMCRAP2015/0033]
(Saint Vincent and the Grenadines)**

Date:

Tuesday, 20th October 2015

On paper:

Applicant:

In person

Issue:

Application for extension of time to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for an extension of time to appeal filed on the 8th July 2015 is granted and the notice of appeal also filed on the 8th July 2015 is deemed to be duly filed.**
- 2. The Registrar of the High Court is directed to take all necessary steps to ensure that the appeal comes up for hearing at the next sitting of the Court of Appeal in St. Vincent and the Grenadines during the week commencing 23rd November 2015.**

Reason:

The Court was satisfied that the applicant had met the requirements for the grant of an extension of time.

Case Name:

**Garvey Solomon
v
The Commissioner of Police**

**[SVGMCRAP2015/0035]
(Saint Vincent and the Grenadines)**

Date:

Thursday, 22nd October 2015

On paper:

Applicant:

In person

Issue:

Application for extension of time to appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED AND DIRECTED THAT:

- 1. The Registrar of the High Court shall serve the application for an extension of time to appeal on the Director of Public Prosecutions and provide evidence of service on or before 6th November 2015.**
- 2. The Director of Public Prosecutions is at liberty to respond to the application on or before 13th November 2015.**
- 3. The application for an extension of time to appeal is adjourned to the next Chamber Hearing scheduled for 19th November 2015.**

Case Name:

**Andrew Harry
v
The Commissioner of Police**

**[SVGMCRAP2015/0036]
(Saint Vincent and the Grenadines)**

Date:

Thursday, 22nd October 2015

On paper:

Applicant:

In person

Issue: Application for extension of time to appeal

Result / Order & Reason: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve the application for an extension of time to appeal on the Director of Public Prosecutions and provide evidence of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application on or before 13th November 2015.
3. The application for an extension of time to appeal is adjourned to the next Chamber Hearing scheduled for 19th November 2015.

Case Name: John Baylis Frederick
v
Kelectric Company Limited

[SVGHCVAP2015/0013]
(Saint Vincent and the Grenadines)

Date: Thursday, 22nd October 2015

On paper:

Applicant: In person

Issues: Case management of appeal – Procedural application for Court to direct and order the continuation of the appeal and announce date of hearing

Result / Order: IT IS HEREBY ORDERED THAT:
The Registrar of the High Court is directed to produce a written report to the Court by Friday, 6th November 2015 on the status of the transcript of the trial in claim No. SVGHCV2009/0387 – John Bayliss Frederick (as legal representative of St Paul's Sanctuary) v Kelectric Company Limited including the expected date that the transcript will be available to the applicant.

Case Name:

**Leroy Haynes
v
The Commissioner of Police**

**[SVGHCRAP2013/0028]
(Saint Vincent and the Grenadines)**

Date:

Thursday, 22nd October 2015

On paper:

Applicant:

In person

Issue:

Application to add further grounds of appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court is to serve the application on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.**
- 2. The application to amend the notice of appeal by adding further grounds is adjourned to the next Chamber Hearing on Thursday, 19th November 2015.**

Case Name:

**Marlon Deterville
v
The Commissioner of Police**

**[SVGMCRAP2014/0053]
(Saint Vincent and the Grenadines)**

Date:

Thursday, 22nd October 2015

On paper:

Applicant:

In person

Issue: Application to add further grounds of appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

3. The Registrar of the High Court is to serve the application on the Director of Public Prosecutions and provide proof of service on or before 6th November 2015.
4. The application to amend the notice of appeal by adding further grounds is adjourned to the next chamber day on Thursday, 19th November 2015.

Case Name:

**Romando Rodriguez
v
The Commissioner of Police**

**[SVGMCRAP2015/0047]
(Saint Vincent and the Grenadines)**

Date: Thursday, 22nd October 2015

On paper:

Applicant: In person

Issue:

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve the application for an extension of time to appeal on the Director of Public Prosecutions and provide evidence of service on or before 6th November 2015.
2. The Director of Public Prosecutions is at liberty to respond to the application on or before 13th November 2015.
3. The application for an extension of time to appeal is adjourned to the next Chamber Hearing scheduled for 19th November 2015.

Case Name:

Douglas Anderson

v
[1] The Attorney General
[2] Chief Immigration Officer

[MNIHCVAP2015/0003]
(Montserrat)

Date: Tuesday, 20th October 2015

On paper:

Applicant: Mr. Jean E.H. Kelsick (Kelsick & Kelsick)

Respondent: Ms. Karen Reid

Issue: Application for leave to appeal

Result / Order: **IT IS HEREBY ORDERED THAT:**
The notice of application for leave to appeal filed on 30 July 2015 shall be heard by the Full Court at its next sitting in Montserrat during the week of 14th March 2016.

Reason: The Court was minded to refuse leave to appeal and accordingly acted pursuant to rule 62.2 of the Civil Procedure Rules 2000.

Case Name: **Priscilla Williams**
v
Wendell Lee

[MNILTAP2015/0001]
(Montserrat)

Date: Thursday, 22nd October 2015

On paper:

Applicant: Mr. Sylvester Carrott

Issue: Application to state a case

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The application is adjourned to the next Chamber Hearing scheduled for 19th November 2015 for further consideration.
2. The appellant is to serve the notice of the adjourned hearing on the respondent and provide proof of service.

Case Name:

**Attorney General
v
Charmaine Rosan-Bunbury**

**[BVIHCVAP2015/0008]
(Territory of the Virgin Islands)**

Date: Thursday, 22nd October 2015

On paper:

**Appellant /
Respondent:** Ms. Giselle Jackman Lumy, Senior Crown Counsel
(Attorney General's Chambers)

**Respondent /
Applicant:** Ms. Charmaine R. Rosan-Bunbury (Rosan Law)

Issue: Application for extension of time for filing notice of opposition to notice of appeal – Application for extension of time to file written submissions/arguments in opposition to interlocutory notice of appeal – Application for relief from sanctions – Application to strike out notice of appeal

**Result / Order &
Reason:**

IT IS HEREBY ORDERED THAT:

1. The notice of discontinuance having been filed, the appeal filed on 22nd May 2015 stands dismissed.
2. There shall be no order as to costs.

Case Name: **Telecommunications Regulatory Commission**
v
Caribbean Cellular Telephone Limited

[BVIHCMAP2015/0015]
(Territory of the Virgin Islands)

Date: **Tuesday, 20th October 2015**

On paper:
Applicant: **Ms. Sinead Harris (Forbes Hare)**

Issue: **Application for leave to appeal**

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

- 1. The applicant is granted leave to appeal against paragraph 4 of the order of the learned judge made on 7th October 2015.**
- 2. The notice of appeal and all supporting documents required by Part 62.10 of the Civil Procedure Rules be filed and served on Hunte & Co., legal practitioners for the respondent, by 4:00 pm on Wednesday, 28th October 2015 and thereafter, the appeal shall proceed in accordance with the Civil Procedure Rules on an expedited basis.**
- 3. Costs of this application be costs in the appeal.**

Reason: **The Court was satisfied that the applicant had met the threshold requirements for the grant of leave to appeal. The Court also had regard to the certificate of urgency filed on 14th October 2015 giving reasons why the appeal should be heard urgently.**