

TELECONFERENCE

TERRITORY OF THE VIRGIN ISLANDS

Monday, 17th June 2013

APPLICATIONS AND APPEALS

Case Name:

[1] Chemtrade Limited

V

[1] Fuchs Oil Middle East Limited

[2] Fuchs Petrolub AG

[BVIHCVAP2013/0004]

Coram:

The Hon. Dame Janice M. Pereira, Chief Justice

The Hon. Mde. Louise E. Blenman, Justice of Appeal

The Hon. Mr. Mario Michel, Justice of Appeal

Appearances:

Appellant:

Mr. Victor Joffe, QC with him Mr. Lynton Tucker

Respondent:

Mr. George Bompas, QC

Issues:

Case management – Directions hearing – Application to adduce fresh evidence

Result / Order:

[Oral delivery]

BY CONSENT:

- 1. The second respondent has permission to file the witness statement of Claudio Becker dated 6th May 2013 (as exhibited to a witness statement herein of Tameka Davis dated 7th May 2013 by 4:00 p.m. on Wednesday, 19th June 2013.**
- 2. The appellant has permission to file and serve evidence in response by 4:00 p.m. on Friday, 21st June 2013.**
- 3. The second respondent has permission to file and serve evidence in reply by 4:00 p.m. on Friday, 28th June 2013.**
- 4. The evidence filed pursuant to paragraphs 1 to 3**

shall be admitted de bene esse and may be read by the Court of Appeal accordingly but without prejudice to any contentions of either party at the substantive hearing of the appeal as to the need for or relevance of new evidence filed by the other party.

5. Costs in the appeal.

AND IT IS ORDERED THAT:

6. The appellant shall prepare and file by 4:00 p.m. on Tuesday, 2nd July 2013 a bundle containing in chronological order copies of the documents comprised in the exhibits to the witness statements filed pursuant to paragraph 1 to 3 above.

7. The appellant shall prepare and file by 4:00 p.m. on Tuesday, 2nd July 2013:

(i) a bundle comprising the skeleton arguments filed in this appeal namely the appellant's skeleton argument dated 26th March 2013, the second respondent's skeleton argument dated 7th May 2013 and the appellant's skeleton argument in reply dated 28th May 2013.

(ii) a bundle comprising the authorities referred to in the said skeleton arguments.

8. The appellant shall have leave to include in the bundle referred to in paragraph 7(2) above authorities referred to in its closing submissions in the Court below and relied on in the appeal, which are at Tabs 26 and 27A of the Record therein.

9. The timetable for the hearing of the appeal herein shall commence upon the conclusion of Civil Appeal No. 5 of 2013 and shall subject to further direction of the Court be as follows:

(a) Tuesday, 9th July 2013:

(i) submissions on behalf of the appellant.

(b) Wednesday, 10th July 2013:

(i) submissions on behalf of the second respondent (time estimate – three quarters of a day).

(ii) submissions in reply on behalf of the

appellant.

(c) Thursday, 11th July 2013:

(i) submissions in reply on behalf of the appellant (if not completed the previous day).

Case Name:

**[1] Sheikh Abdullah Ali Alhamrani
v
[1] Sheikh Mohamed Ali M. Alhamrani
[2] Sheikh Siraj Ali M. Alhamrani
[3] Sheikh Khaild Ali M. Alhamrani
[4] Sheikh Mohamed Ali M. Alhamrani as
representative of the late Sheikh Abdulaziz Ali
M. Alhamrani
[5] Sheikh Ahmed Ali M. Alhamrani
[6] Sheikh Fahad Ali M. Alhamrani**

[BVIHCVAP2013/0005]

Coram:

**The Hon. Dame Janice M. Pereira, Chief Justice
The Hon. Mde. Louise E. Blenman, Justice of Appeal
The Hon. Mr. Mario Michel, Justice of Appeal**

Appearances:

Appellant: Ms. Elizabeth Jones, QC with her Mr. Jack Husbands

Respondent: Mr. Victor Joffe, QC with him Mr. Lynton Tucker

Issues:

Case management – Directions hearing

Result / Order:

[Oral delivery]

- 1. The respondents to pay the appellant's costs of the respondents' application dated 25th February 2013, to be assessed if not agreed.**
- 2. The costs payable pursuant to paragraph 1 above to be set off against the costs payable by the appellant to the respondents pursuant to**

paragraph 48 of the judgment of the Court of Appeal reissued on 11th February 2013 (concerning the application of the appellant dated 29th June 2012 for disclosure of certain communications between the respondents and Tawfiq Hardan and the respondents appeal from the order of Bannister J dated 25th July 2012 and the respondents' appeal from that order by notice of appeal dated 10th August 2012 and application for review dated 13th September 2012).

3. The timetable for the hearing of the appeal herein shall be as follows:

(a) Tuesday, 2nd July 2013:

(i) submissions on behalf of the appellant.

(b) Wednesday, 3rd July 2013:

(i) submissions on behalf of the appellant.

(c) Thursday, 4th July 2013:

(i) submissions on behalf of the respondents.

(d) Friday, 5th July 2013:

(i) submissions on behalf of the respondents.

(e) Monday, 8th July 2013:

(i) submissions in reply on behalf of the appellant.