

**BETWEEN:** Aron Richard  
**Claimant**

**AND:** Anna Thompson  
**Defendants**

**Date of Hearing:** *Friday 24<sup>th</sup> day of August, 2018*  
**Date of Judgement:** *Friday 24th day of August, 2018*  
**Venue:** *Efate Island Court – Court-Room, Joint-Court Onto, Port-Vila*  
**Before:** *Justice Roy Tining (Presiding Justice)*  
*Justice Thompson Andrew (Member)*  
*Justice Lutu Sakita (Member)*

**Island Court Clerk:** *Alida Alain*

**In Attendance:** *Claimant – Aron Richard*  
*Defendant – Anna Thompson (No appearance in Court)*

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**DEFAULT JUDGMENT**

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An application has been filed by **Aron Richard** who is the plaintiff before this court in pursuant to Rule 1(2) of the Island Court Procedure Rules of 2005.

Plaintiff is seeking orders from the Island Court to order ‘Anna Thompson’ of Efate Island, the defendant to pay Fifty Thousand Vatu considered as a Debt.

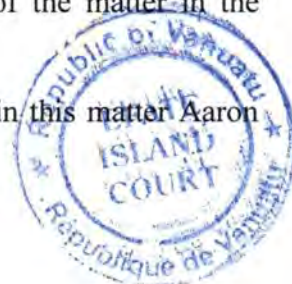
Both parties were summoned. This matter was supported in open court. Claimant appeared in Court at the time and date of hearing when called; however Defendant was not present but was fully aware of this court hearing. Court has noted on the Court Deposition that Defendant has also not filed her defence.

*Island Courts (Civil Procedure) Rules No. 028 of 2005 (2) – Non-Attendant of defendant reads: If a defendant does not appear at the time for the hearing of the claim, the court shall, provided it is satisfied that the statement of claim has been served on the defendant and that there is no good reason for the defendant’s non-attendance:*

*(d) Determine in the absence of the defendant the claim of the claimant.*

The Court is satisfied and therefore, the Court proceeds with the determination of the matter in the absence of the defendant.

Having read, heard and considered the application of claim made by the Claimant in this matter Aaron Richard Collin on behalf of his unpaid sum;

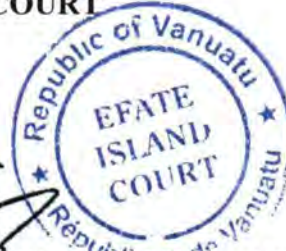


**This Court is satisfied and hereby makes the following Orders:**

1. The Defendant 'Aron Richard' is ordered to pay 50'000 Vt by monthly instalment of 12'500 Vt every months commencing end of September, 2018 until the Debt Vt 50'000 is settle or paid in full;
2. All payment to be made directly to the Claimant 'Aaron Richard Collin';
3. Claimant is ordered to produce payment receipt to the defendant upon reception of each payment;
4. If judgement remains unsatisfied, Claimant may apply in writing to the Supervising Magistrate for Enforcement;
5. Parties have a right to appeal from that judgment to the Magistrate's Court within 30 days from the date of this judgement.

**DATED at Port Vila this 24<sup>th</sup> day of August, 2018.**

**BY THE COURT**



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Justice Lutu Sakita  
(Member)

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Justice Roy Tining  
(Presiding Justice)

.....  
Justice Thompson Andrew  
(Member)