

**BETWEEN:** JOHN JULIANA

Represented by Wilton Killet

**Claimant**

**AND:** JIMMY THOMPSON

**Defendant**

*Date of Hearing:* 22 July 2021  
*Date of Judgment:* 06 August 2021  
*Before Justices:* Douglas FADAL (Chairperson), Johnsen Frazer, Patisson PETER  
*Clerk:* Collyne Tete Maki  
*In Attendance:* Claimant - Present  
Defendant – Present

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**ORDER**

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**1. INTRODUCTION**

Kot emi welkam ol parties mo ol famile memba we oli present blong listen long kes. Jeaman blong kes em i talem maot olgeta tri (3) jastis we oli sit daon long kes mo I no gat any objection we wan long olgeta parties I mekem long olgeta. Kot em i letem ol parties oli save se decision blong olgeta bae em i follem nomo ol toktok blong olgeta we bae I kam maot long kot tedei. Kot emi luk tru long kleim mo luk se kleimen emi kleim from graon we kot I no gat



pawa blong harem ol kes blong graon so kot I askem blong emi amendem or jensem kleim blong em and emi talem se bae kot I grantem wan restraining oda blong no gat man I spollem ol kastom properties blong Alnirapis nasara.

Kes ia emi filed I kam long Aelan kot long namba 22 Aprel 2016.

## **2. ISSUE BIFO LONG KOT:**

- 1) *Whu long tufala parties I gat raet long ol properties blong kastom eria Alnava Alnirapsi?*

## **3. BACKGROUND BLONG CASE**

### KLEIMEN

Kot I talem long kleiman blong emi summarisem mo amendem kleim blong em from follem statemen blong em emi tokbaot plante nao graon we aelan kot I no gat pawa blong harem kes blong graon. Kleimen we emi represented by spokesman Wilton Killet emi filem kleim I kam long kot mo statem:

1. Kleimen emi amendem kleim blong em mo talem se defendan moo I family memba oli muv antap long bush I kam daon mo stap tek ova long ol coral long solwota, sandbeach mo stap blokem ol man blong no accessem ol ting ia
2. I no gat wan declaresen I made yet long lan ia so bae I no mas gat brushem niu bush or Karen, no niu building, no plannem niu coconas

### DEFENDAN

Defendan emi no filem any response be emi kam blong toktok long kot mo talem:

1. Em or any family memba blong em I no muvum maot anyone long lan
2. Emi talem tu se em nao emi laef blad blong Alnirapis
3. Emi talem tu se ol man stap destroyem ol nasara sites
4. Emi talem tu se Nasara we I stap long graon emi still stap long dispute and kleimen emi no original kleima long lan kes ia
4. Emi talem tu se kleimen emi no gat raet blong tokbaot Alnirapis from emi blong difren nasara

## **5. COURT FINDINGS**

- 1) Kot I faenem maot se I no gat wan raet jif yet blong Alnava Alnirapis nasara
- 2) Kot I faenem moat se I gat dispute from Alnava Alnirapis nasara

## **6. COURT ORDERS**

1. Tugeta parties long saed blong kleimen mo defendan mo ol family memba oli no gat raet blong mekem ol niu building, mekem new Karen mo no brushem niu bush
2. Eni long ol parties I no hapi long decision ia emi gat 30 dei blong emi apil ko long Magistret kot



ODA IA KOT I MEKEM LONG 06 BLONG MANIS AUGUST 2021

**BY THE COURT**



Justice Patisson PETER



Justice Johnsen FRAZER



Justice Douglas FADAL

Chairperson

