

**IN THE COURT OF APPEAL OF THE  
EASTERN CARIBBEAN SUPREME COURT  
TERRITORY OF THE VIRGIN ISLANDS  
FINAL CAUSE LIST  
[28<sup>TH</sup> SEPTEMBER TO 2<sup>ND</sup> OCTOBER, 2009]**

**I. JUDGMENTS**

- |     |  |                            |
|-----|--|----------------------------|
| [1] | William Penn v The Queen<br>Territory of the Virgin Islands  | [Crim. App. No. 1 of 2006] |
| [2] | Alfa Telecom Turkey Limited v teliasonera Finland OYJ<br>Territory of the Virgin Islands                   | [Civ. App. No. 12 of 2008] |
| [3] | Danone Asia Pte Limited et al v Trillion Sino Investments Limited et al<br>Territory of the Virgin Islands | [Civ. App. No. 2 of 2009]  |
| [4] | Samuel Fletcher et al v The Attorney General<br>Saint Lucia  | [Civ. App. No. 12 of 2009] |

**II. APPLICATIONS**

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|-----|---|----------------------------|
| [1] | Elena Collongues v Andrew Lych et al<br><i>Bearer Share Certificates be delivered /<br/>The Sum paid as Security for Costs be Paid over to Respondent</i>         | [Civ. App. No. 1 of 2007]  |
| [2] | Bryon Smith v British Virgin Islands Electricity Corporation<br><i>Leave to Appeal to Her Majesty in Council</i>  | [Civ. App. No. 10 of 2008] |
| [3] | D & B Trucking & Trailer Hauling Service Limited v<br>Caribbean Insurers Limited<br><i>Appeal be Struck out or Dismissed</i>                                      | [Civ. App. No. 25 of 2008] |
| [4] | Westminster Oil Limited et al v International Investments<br>House Co. LLC<br><i>Extension of Time to File and Serve Counter Notice<br/>and skeleton argument</i> | [Civ. App. No. 4 of 2009]  |
| [5] | Nervin Wheatley v National Park Trust<br><i>Leave to Appeal Out of Time</i>   | [Civ. App. No. 8 of 2009]  |
| [6] | Andrew Fahie et al v National Bank of the Virgin Islands<br><i>Leave to Appeal</i>  | [Civ. App. No. 9 of 2009]  |
| [7] | Santa Fraser (Executor of the Estate of Beatrice Benjamin<br>Rhymer (Deceased) v Patsy Angeline Francis<br><i>Leave to Appeal/Stay of Execution</i>               | [Civ. App. No. 13 of 2009] |

[8] Bernice Green v Margeurite Green [Civ. App. No. 14 of 2009]  
 (as Next friend for Wellington Todman Deceased)  
*Leave to Appeal*

[9] China Alarm Holdings Limited (In Liquidation) v China Alarm [Civ. App. No. 15 of 2009]  
 Holdings Acquisitions LLC et al  
*Order that Liquidators of the Appellant be joined to the Appeal as Third Respondents*

### III. HIGH COURT CRIMINAL APPEALS AGAINST SENTENCE

[1] The Director of Public Prosecutions v Shaunlee Fahie [Crim. App. No. 2 of 2009]  
*Aggravated Burglary*

[2] Dennis Campbell v The Queen [Crim. App. No. 4 of 2008]  
*Burglary*

### IV. HIGH COURT CRIMINAL APPEALS AGAINST CONVICTION

\* [1] Lorne Parsons v The Queen [Crim. App. No. 2 of 2006]  
*Murder*

\* [2] Clinton Hamm v The Queen [Crim. App. No. 3 of 2006]  
*Murder*

\* [3] Jerry Martin v The Queen [Crim. App. No. 3 of 2007]  
*Murder*

[4] Damian Hodge v The Queen [Crim. App. No. 1 of 2009]  
*Assault occasioning bodily Harm*

### V. HIGH COURT CIVIL APPEALS

[1] The Attorney General of The Virgin Islands v Daphnie Alves [Civ. App. No. 20 of 2008]

[2] D& B Trucking & Trailer Hauling Service Limited v  
 Caribbean Insurers Limited

[3] Westminster Oil Limited et al v International Investment House [Civ. App. No. 4 of 2009]  
 Co. LLC. Et al

[4] Claudette Francis v Cecilia Martin [Civ. App. No. 7 of 2009]

### VI. MAGISTERIAL CRIMINAL APPEAL AGAINST SENTENCE

[1] John Schulerbrandt v Commissioner of Police [Mag. Crim. App. No. 5 of 2008]  
*Possession of Firearm, Ammunition and Cannabis*

## VII. MAGISTERIAL CIVIL APPEALS

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|-------|----------------------------------|--------------------------------|
| [1]   | Victor Martac v Keisha Pickering | [Mag. Civ. App. No. 5 of 2008] |
| * [2] | Yvonne Remington v Bettito Frett | [Mag. Civ. App. No. 6 of 2008] |
| * [3] | Bert Smith v Carlton George      | [Mag. Civ. App. No. 7 of 2008] |
| [4]   | Brian Blyden v Denise Stanley    | [Mag. Civ. App. No. 1 of 2009] |

\* *Adjourned from the Last Sitting of the Court*

## STATUS HEARING 28<sup>TH</sup> SEPTEMBER, 2009

### I. HIGH COURT CRIMINAL APPEALS

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|-----|---------------------------|----------------------------|
| [1] | Irvin Durante v The Queen | [Crim. App. No. 3 of 2000] |
| [2] | Lloyd Arthur v The Queen  | [Crim. App. No. 7 of 2004] |

### II. HIGH COURT CIVIL APPEALS

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|------|--|----------------------------|
| [1]  | Tamara Stonich v Timothy Stonich   | Civ. App. No. 8 of 2001]   |
| [2]  | Sara Roldan Del Castillo v Worldwide Corporation Services Inc. Ltd. et al          | [Civ. App. No. 13 of 2002] |
| [3]  | Tortola Concrete Products Limited v Naomi Grigg                                    | [Civ. App. No. 2 of 2003]  |
| [4]  | In the Estate of Kwan Hung IP Tommy Deceased                                       | [Civ. App. No. 13 of 2003] |
| [5]  | Maurice Frederic Stevens et al v Carl Bartley Penn                                 | [Civ. App. No. 17 of 2003] |
| [6]  | Financial Services Commission v Morgan Fund Limited                                | [Civ. App. No. 4 of 2004]  |
| [7]  | Shem Jackson v Commissioner of Police et al  | [Civ. App. No. 8A of 2004] |
| [8]  | Susan Bresnahan v Russel Ball  | [Civ. App. No. 21 of 2004] |
| [9]  | Alsace Lorraine Investment Services Limited v Erwin Jose Dobnig Galtier Lupo et al | [Civ. App. No. 5 of 2005]  |
| [10] | Serguei Akulov v Serguei Noudelman   | [Civ. App. No. 12 of 2006] |
| [11] | Akhai Holdings Limited v Independent Enterprises Limited                           | [Civ. App. No. 22 of 2006] |

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|------|--|----------------------------|
| [12] | French Connections Limited v Safe Solutions Accounting Limited (In Liquidation)            | [Civ. App. No. 23 of 2006] |
| [13] | French Connections Limited v Safe Solutions Accounting Limited (In Liquidation)            | [Civ. App. No. 24 of 2006] |
| [14] | French Connections Limited v Safe Solutions Accounting Limited (In Liquidation)            | [Civ. App. No. 25 of 2006] |
| [15] | Tony Hong Pong Chu et al v Zhu Jiang Finance Ltd. et al                                    | [Civ. App. No. 34 of 2006] |
| [16] | Marble Point Energy Limited v Multiperils International Inc.                               | [Civ. App. No. 35 of 2006] |
| [17] | Robin Tattersall et al v Bettina Hooper  | [Civ. App. No. 2 of 2007]  |
| [18] | Raphael Williams v Patricia Doty   | [Civ. App. No. 3 of 2007]  |
| [19] | Employers International and Others v Boston Life and Annuity Company                       | [Civ. App. No. 10 of 2007] |
| [20] | Steve Turnball v British Virgin Islands Electricity et al                                  | [Civ. App. No. 13 of 2007] |
| [21] | Terry Turl v North South Yacht Vacations Limited   | [Civ. App. No. 17 of 2007] |
| [22] | Sonia O'Neal v First Bank (Puerto Rico) Limited<br><i>Application to Strike out Appeal</i> | [Civ. App. No. 23 of 2007] |
| [23] | Tajik Aluminium Company v Ansol Limited et al  | [Civ. App. No. 2 of 2008]  |

### III. MAGISTERIAL CRIMINAL APPEALS

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|-----|---|---------------------------|
| [1] | Pierre Jean Francois et al v The Attorney General et al | [Civ. App. No. 3 of 2003] |
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### IV. MAGISTERIAL CIVIL APPEALS

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|-----|--|---------------------------|
| [1] | Egbert Creque v Smith's Ferry Services Limited                                   | [Civ. App. No. 1 of 2003] |
| [2] | Harry Samuel v Attorney General et al  | [Civ. App. No. 3 of 2004] |
| [3] | Ramiz Abuhaydar v Island Time Limited<br><i>Application to Strike out Appeal</i> | [Civ. App. No. 1 of 2006] |