

IN THE SUPREME COURT
OF THE REPUBLIC OF VANUATU

Civil
Case No. 17/2264 SC/CIVIL

BETWEEN: **Ricky and Tony Toro, representing the Toro Family**
Claimants

AND: **Operation Education Vanuatu Committee**
First Defendant

Fred George and Family
Second Defendants

Steward Iawaila and Family
Third Defendants

Daniel Kei and Family
Fourth Defendants

Kiellie Iaipe and Family
Fifth Defendants

Maxim and Family
Sixth Defendants

David and Family
Seventh Defendants

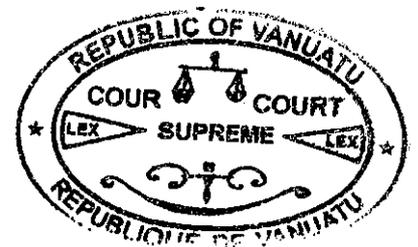
Mata Iaput and Family
Eighth Defendants

Kawiel Monic and Family
Ninth Defendants

Iasi Niawia and Family
Tenth Defendants

Pascal Joseph and Family
Eleventh Defendants

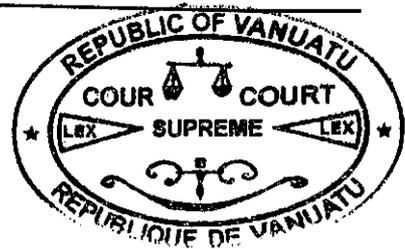
David Reny and Family



Twelfth Defendants
Onis Ben and Family
Thirteenth Defendants
Natou laupa and family
Fourteenth Defendants
Charley Aklet and Family
Fifteenth Defendants
Daniel Philip and Family
Sixteenth Defendants
George Maten and Family
Seventeenth Defendants
Timo Job and family
Eighteenth Defendants
Moses Nasu and Family
Nineteenth Defendants
Arnold Jack and Family
Twentieth Defendants
Nicolson Job and Family
Twenty-First Defendants
Job Noal and Family
Twenty-Second Defendants

Date: Wednesday, 27 June 2018
By: Justice G.A. Andrée Wiltens
Counsel: Ms M. Nari for the Claimants
Ms C. Thyna for all the Defendants

SUMMARY JUDGMENT



1. This Claim was filed on 29 August 2017. It was served on all the defendants on 30 August 2017.
2. Ms Thyna filed her appearance on 15 September 2017. There have been no further steps taken by any of the defendants, until 8 May 2018, when Ms Thyna conceded the claim. I indicated Ms Nari should file an application for Summary Judgment with a sworn statement in support, under Rule 9.2. If that was done and there was still no response, I intended to grant the application with costs of VT 100,000.
3. An Application for Summary Judgment was filed and served on 9 May 2018. A sworn statement in support was also filed and also served. Still no steps have been taken by any of the defendants.
4. Accordingly I grant the application for summary judgment and make the following orders:
 - All the defendants, their families and extended relatives, associates and agents vacate former titles 869-883 within 21 days from today;
 - The First Defendant is to pay damages to the Claimant in the sum of VT 1,200,000 within 30 days from today;
 - The Second and Third Defendants are to pay damages to the Claimant in the sum of VT 750,000 equally and severally within 30 days from today;
 - The Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Defendants are to pay damages to the Claimant in the sum of VT 600,00 equally and severally within 30 days from today;
 - The Fourth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteen, Twentieth, Twenty-First, and Twenty-Second Defendants are to pay damages to the Claimant in the sum of VT 750,000 equally and severally within 30 days from today; and
 - All the defendants are to pay interest on the sums awarded at the rate of 5% per annum from 30 March 2016 to today.
5. The Claimants are entitled to costs at the fixed amount of VT 100,000.

Dated at Port Vila this 27th day of June 2018
BY THE COURT

Gardie Wilton
Justice G.A. Andree Wilton

