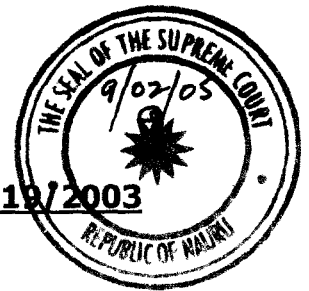


IN THE SUPREME COURT OF NAURU



CIVIL ACTION NO. 19/2003

BETWEEN JUSTINA BAILEY PLAINTIFF
AND TRENT DABWIDO DEFENDANT

P. Nimes for Plaintiff
R. Kun for Defendant

In Court 9 February 2005


ORDER

The court makes the following orders with the consent of the parties:-

1. A family meeting of representatives of the four members of the original Grundler family to be called to determine the sites for construction of dwelling houses on portion 127 Boe (Iruwitaquane) for Justina Bailey and Trent Dabwido.
2. The four representatives, one from each of the heads of the Grundler family, to be chosen by the family itself.
3. The family meeting of the four representatives to take place at a specified location within 21 days of the service of this Order upon the parties.
4. An agreed statement to be prepared by Mr. Nimes and Mr. Reuben Kun representing the plaintiff and defendant respectively together with the aerial map of the site and the co-ordinates survey to be given to each of the four representatives at least two days in advance of the family meeting of representatives.
5. The family meeting of representatives may seek the assistance of both pleaders, Mr. Nimes and Mr. Reuben Kun, together but not singly.
6. In the event that the family meeting of representatives would request an independent Chairman of the meeting, the Court recommends that the Chairman of the Nauru Lands Committee would be appropriate. Such an independent Chairman would not participate in any way in the decision of the meeting.
7. The determination of the sites of the dwelling houses of both parties by the family meeting of representatives is by agreement of the parties binding on both parties. The Court trusts that in

reaching a fair and just determination that so far as possible this will be by consensus.

8. Until the family meeting of representatives reaches a determination on the sites for construction of the dwelling houses, both parties are restrained from carrying out further earthworks, foundations, clearing or any other building activity on Portion 127 Boe (Iruwitaquane).



BARRY CONNELL
CHIEF JUSTICE

9 February 2005