

(Civil Jurisdiction)

Between: Stophwel Rose
(Complainant)

And: Bill Phillip
(Defendant)

Matter: Payment of compensation in the sum of 10,000 vatu for Injury sustained from Shooting with a rock by the defendant plus costs 1,000 vatu.

Coram: Justice Keith Hopkins
Justice Phillip Morres Tabe
Justice Reuben Selwyn

Clerk: Fredington Aru

Date of hearing: 05th June 2013

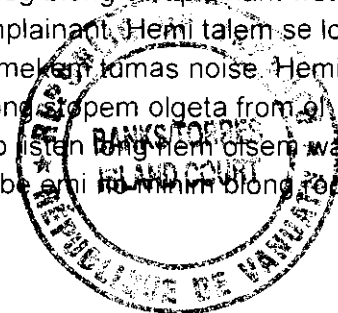
JUDGMENT

Kot ia ibin sitaon long Lungarighi village long Loh blong lukluk long case ia. Long claim blong complainant Stophwel, Hemi stap claim se defendant Bill Phillip hemi bin stonem leg blong hem wetem wan rock long wan naet mo hemi bin karem kill mo go long Dispensary long Loh long sem naet ia. Hemi stap claim blong defendant Bill ipem ikam long hem wan compensation long 10,000 vatu from kill we hemi bin mekem long hem.

Tugeta patis oli bin served wetem Court summons mo appear before long Kot taem isitaon blong lukluk long matter ia.

Issue blong determination before long Kot long case ia hemi: 'I tru or no se defendant Bill I stonem leg blong complainant. Sapose hemi tru se defendant hemi stonem complainant, then Kot bae hemi lukluk blong decide se hamas nao bae defendant hemi pem igo long complainant olsem compensation from kill we hemi bin causem long leg blong hem'. Hemia nao issue blong determination long case ia.

Long Kot, defendant Bill Phillip i testify se itru hemi bin stonem leg blong complainant wetem wan rock. Hemi se hemi no bin minim blong rock ia ikasem complainant. Hemi talem se long taem ia ol boys istap drink long haos blong complainant mo oli mekem tumas noise. Hemi talem se hemi bin approachem ol drong man ia tu (2) taems blong stopem olgeta from ol man ino save silip from noise I tumas. Defendant ise ol boys ino listen long hem olsem wan chief so hemi sakem rock blong distracted activity blong olgeta be arni mo minim blong rock



ikasem complainant. Hemi se hemi no luk complainant we hemi wan anti blong hem taem hemi sakem rock.

Follem olgeta toktok antap hemi ol findings blong Kot.

Kot I faenemaot se:

1. Defendant ibin stopem ol boys we I drong tu (2) taems be oli no save lisin.
2. Defendant hemi no minim blong stonem complainant.
3. Defendant hemi wan chief mo hemi traem blong stopem nois long naet be ol drong man oli no wantem lisin long hem so hemi sakem rock blong distractem acitivity blong olgeta.

Wetem olgeta findings ia, Kot ia emi stap mekem ol odas olsem.

Kot istap oda se:

1. Defendant Bill bae ipem 1,000 vatu olsem igo long complainant.
2. Pem 1,000 vatu cost blong tekem case ia ikam long Kot.
3. Defendant blong go long kalabus blong tri (3) manis sapos hemi fair blong follem ol odas ia.
4. Any pati we ino glad long decision ia blong mekem apil inside inside long 30 days stat tedei 05th June 2013.



DATED AT LOH THIS 05TH JUNE 2013

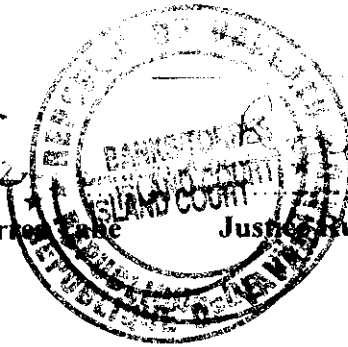
BY THE COURT

K. Hopkins

Justice Keith Hopkins

P. Morris

Justice Phillip Morris



R. Selwyn
Justice Ruben Selwyn