

**BETWEEN:** ALISON NORI

**Claimant**

**AND:** KIKI KILMAN, KITON BETRO, ALLIE  
RAHAI

**Defendants**

**Date of HEARING:** 20<sup>th</sup> day of July, 2020 at 8:00 AM  
**Before Justices:** Douglas Fadal, Luan Gaum, Alina Malapa  
**Clerk:** Collyne Maki  
**In Attendance:** Claimant – In person  
Defendant – In person

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**JUDGMENT**

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Kes ie emi bin register bifo long kot follem *Island Courts (Civil Procedure rules) No 28 blong 2005 Rule 1 subsection 1 to 7 we I talem " Starting of a civil claim"we I gem raet blong eni man o woman I kam filem wan claim blong em long Aelan kot.*

Kes emi filed by Mr Aleson Nori blong Unmark vilij, Northwest Malekula. Emi filem kes long namba 17 blong manis April 2020 mo kleim agensem defendans se oli damagem ol property blong em, oli damagem gate blong ol buluk blong em mo tu givim kill long wan long ol buluk blong em, sperem mama buluk blong em long namba 6 dei blong manis June 2019. Tugeta buluk ia I kasem pain mo sava blong 3 manis. Emi further talem se long namba 4 dei blong manis April 2020 Mr Kiki Kilman



emi bin talem mao long papa blong em long nakamal se Allie Rahai nao emi bin killem maot jen long gate mo karem haf gen wetem em.

Emi further talem long kot long taem blong cross examination se emi no luk we ol defendan oli killem buluk be emi harem papa blong em we bae emi witness se Kiki Kilman nao I kam talem long em long nakamal se Allie Rahai nao I cuttem buluk blong em.

Fes witness blong kleima Mr Micheal Venu we emi papa blong kleima long cross examination emi nomo base long statmen blong em we emi bin kam filem be emi base long storian blong em wetem Kiki Kilman long nakamal we emi talem long em se Allie Rahai nao I cuttem buluk blong son blong em.

Emi further talem se son blong em we emi kleim emi no tingting blong filem kes even afta we Pedro I kam stap toktok long olgeta ko kasem we Kiki Kilman nao I kam toktok wetem em mekem nao oli kam filem kes.

Secon witness emi Mr Reynold Venu long cross examination we emi se emi stap long haos be Fred, Kiki mo Allie oli kam long haus blong olgeta mo Greg I ko luk mami blong em mo talem se Allie nao I cuttem buluk. Emi talem tu se Greg emi no bin part wetem trifala defendan we oli bin stap tugeta long Karen mo Allie I cuttem leg blong buluk blong kleima.

Trifala defendan Mr Kiki Kilman, Allie Rahai mo Kiton Betro oli represented by Mr Kilman Kalpeau we bae emi spokesman on behalf blong ol trifala defendan mo statem long closing submission blong em se kot I no should rely long claim blong claimer from we emi base long harem toktok we I kam maot long papa blong em blong filem kes I Kam long kot mo kleim from 2 buluk.

Long cross examination long ol defendan Allie Rahai emi agri se emi emi katem leg blong wan buluk nomo from we emi damagem Karen blong apu blong em be I no 2



buluk olsem we claimer I claim from, emia Reyonld Venu tu long examination in jif emi confemem long kot.

*Afta we kot I ridim kleim mo harem toktok blong tufala parties kot I faenem maot se:*

### COURT FINDINGS

- Alison Nori emi no save provum long kot se whu stret I cuttem buluk blong em
- Alison Nori emi no luk whu I sperem buluk blong em
- Alison Nori emi no save provum long kot se whu I cuttem wire blong fence blong buluk blong em
- Alison Nori emi no mekem claim blong em follem wanem emi luk be follem toktok we I kam maot long ol defendan nao mo I ko kasem em moo I witness blong em mekem emi filem kes
- Defendan Allie Rahai emi confem long kot se emi cuttem leg blong buluk follem damage we I made long Karen blong apu blong em Pedro Mandia. Afta we emi cuttem buluk emi ron wei be emi no cuttem namba 2 buluk blong claimer

*Afta kot emi faenem maot ol tingting ia kot I Mekem oda olsem:*

### COURT ORDERS

1. Defendan Allie Rahai bae emi pem fine I ko long Alison Nori long wan amount blong VT 2,000 I ko long kleima from we emi cuttem leg blong buluk blong em;
2. Defendan emi gat 30 dei blong emi complitim VT 2000 fine ia I ko long claimer stat long dei we emi risivim jajmen;
3. Sapos defendan emi no comply wetem oda namba 1, kleima emi gat raet blong kam filem kes blong Enfosmen long clerk blong ko bifo long wan Supervising Magistrate;

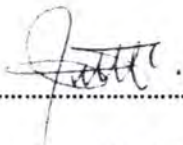


4. Follem Aelan Kot ACT CAP 167 section 22 I talem " *Eni long tufala party defendan or kleimen sapos I no happy long decision ia I gat 30 dei blong I apil I ko long Magistret kot" mo 30 dei blong apil ia bae emi stat long dei we yu resivim Judgmen*



**Dated at Lakatoro this 20 day of July 2020**

**BY THE COURT**



**Justice Douglas Fadal**



**Justice Robert Niptick**



**Justice Luan Gaum**

