

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU**

(Civil Jurisdiction)

CIVIL CASE No.64 OF 2010

CF

BETWEEN:

NIPAKE EDWARD NATAPEI MP, President
of the Vanuaaku Pati of Port Vila, Vanuatu
First Claimant

AND:

NIPAKE EDWARD NATAPEI, JOE
NATUMAN, THOMAS ISOM, SELA
MOLISA, PHILIP BOEDORO, BAKOA
KALTONGGA, MAKI SIMELUM, ALBERT
MILLER, JONATHAN NAUPA,
AUGUSTINE GARAE, ALBEA NALISA,
CHRISTINA WILSON, MARGARETT
SOLOMON, JACK MANUEL, LAMI SOPE,
KEN HOSEA, NIKEKIKE VUROBARAVU,
ATIS KALO, AVIO ROBERTS, PETER
SAKITA, JOHN TESEI, WILSON TERI,
DICKSON KAHUA, LEINAFU TASSO,
ANDREW KAUSIAMA, JERRY ESROM,
BOB LOUGHMAN, PHILIP CHARLEY
Second Claimants

AND:

HARRY IAUKO MP, C/- of Port Vila,
Efate, Republic of Vanuatu

First Defendant

AND:

MANUA IAIOFA, DANIEL BULE, BATISTE
FIRIAM, LOUIS CARLOT, JERRY KANAS,
JOHN NOEL, JACKSON WHITE, ERIC
MOSES, DICKSON ARAHAMBAT,
ERICSON MANAR, VUTI TAKASI, LIVO
LANGI, SAM VIJI, JEROM TARI, SEDACK
SHEM, PAUL AVOCK HUNGAI, MARTIN
IAPATU, ROEL MARAFI, JOHN SANGA,
TOM NIAVIA, IAMEUH JIMMY,
LEONARD SAM, TERI MAKI, TONI NARI,
JACOB MATA, KARL DAVID, JOSEA
IAPSE, ROGER ABIUT, WILLIE REUBEN
ABEL, MERELYN ARHNAMBAT ABEL.

Second Defendants

Mr Edward Nalyal for the claimants
Mr Silas Hakwa for the Defendants



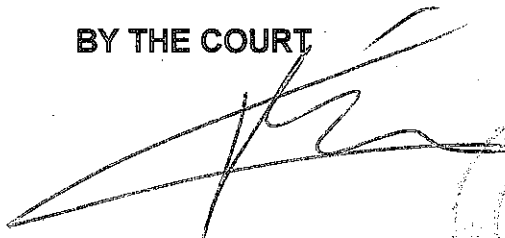
ORDERS

The Court makes the following ORDERS and DECLARATIONS:

1. It is declared that the lauko Faction Meeting, as a Congress of the VP, was null and void.
2. It is declared that the purported election of the first defendant as VP president, at the lauko action Meeting, was null and void.
3. It is declared that the purported election of the VP executive council at the lauko Faction Meeting was null and void.
4. It is ordered that the first Defendant, Harry lauko be restrained from holding himself out as President of the Vanuaaku Pati (VP), and from purporting to exercising any power of the VP President as provided in the VP Constitution.
5. It is ordered that the Second defendant Willie Reuben Abel MP be restrained from holding himself out as the Vice President of the VP as provided in the VP Constitution.
6. It is ordered that all the other defendants and persons purportedly elected to the VP executive council be restrained from holding themselves out as the executive council of the VP, and from excising any powers of the Executive Council of the VP as provided in the VP Constitution.
7. It is ordered that the First and Second defendants are restrained from using the name Vanuaaku Pati or VP in any way whatsoever.
8. Damages against all the Defendants are refused as abandoned by the claimants.
9. The claimants are entitled to costs against the Defendants. Such costs shall be agreed or determined.

Dated at Port-Vila this 09th day of October 2012

BY THE COURT



Vincent LUNABEK
Chief Justice

