

**IN THE SUPREME COURT  
OF THE REPUBLIC OF VANUATU**  
*(Other Jurisdiction)*

**Admiralty**  
**Case No. 18/2328 SC/ADMR**

**BETWEEN: Urata Shipping Limited**  
First Claimant

**AND: John Amos and Cindy Amos**  
Second Claimants

**AND: Office of Maritime Regulator**  
First Defendant

**AND: Republic of Vanuatu**  
Second Defendant

**Coram:** *Justice Aru*

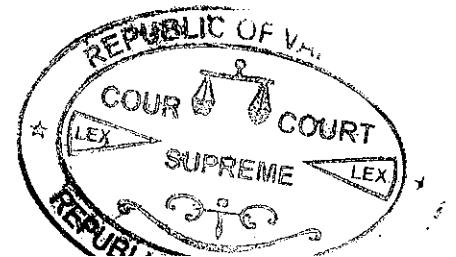
**Counsel:** *Mrs. M.G Nari for the Claimants (no-appearance)*  
*Mr. Sammy Aron for the Defendants*

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**JUDGMENT**  
**(orders)**

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1. This was a claim initially filed on 29 August 2018 against the Government. It was later amended to add the Office of the Maritime Regulator as a defendant. The claim alleges that the defendants were negligent in their duties leading to the loss of LC Urata at sea.
2. The matter was listed for trial on a couple of occasions but each time the trial was adjourned. The third adjournment was on 27 March 2020 adjourning the trial to 3<sup>rd</sup> and 4<sup>th</sup> June 2020. Late yesterday (2<sup>nd</sup> June) a memorandum was filed by the claimant seeking to challenge some of the defendant's evidence before the trial commenced.
3. When the trial commenced there was no appearance from the claimant's counsel and no reasons were provided to the Court for her non-appearance.



4. The claim is therefore struck out and the defendants are entitled to costs in the sum of VT 90, 000 to be paid within 21 days.

DATED at Port Vila this 3<sup>rd</sup> day of June, 2020

BY THE COURT



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Dudley Aru  
Judge

