

IN THE HIGH COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS

JAN 22 2018


ASST. CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS

<p>EIGIGU HOLDINGS CORPORATION, Plaintiff, v. LEANDER LEANDER and LIJUN LEANDER, Defendants.</p>	<p>CIVIL ACTION 2014-067 ORDER ARISING FROM PRE-TRIAL MOTION HEARING AND PRE-TRIAL CONFERENCE</p>
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Divine Waiti, counsel for plaintiff
James McCaffrey, counsel for defendants

This matter came before the Court for a pre-trial motion hearing and pre-trial conference on January 19, 2018. Plaintiff was not present but was represented by counsel Divine Waiti. Defendants were not present but were represented by counsel James McCaffrey appearing via telephone. Immediately prior to the hearing, Mr. McCaffrey filed a letter from Leander Leander's doctor indicating that Leander Leander needs to remain in Hawaii until at least September 2018 for medical reasons.

On March 5, 2017, I denied the parties' respective motions for summary judgment and scheduled a scheduling conference for June 14. Mr. Waiti substituted in as plaintiff's counsel on June 9.

At the scheduling conference held June 14, I ordered counsel to file any discovery requests by September 15, and to respond to any such requests by October 20. Plaintiff filed timely discovery requests, but defendants did not timely respond. As of January 19, 2018, defendants still have not responded.

Mr. McCaffrey stated that he will return to Majuro on March 3, and that he will then quickly respond to plaintiff's outstanding discovery requests. He requested that any trial be scheduled after September 2018 so that Leander Leander can be present.

BASED ON THE FOREGOING, IT IS HEREBY ORDERED AS FOLLOWS:

1. Defendants shall fully respond to plaintiff's outstanding discovery requests on or before March 30, 2018. If they do not timely comply, I will, upon motion, strike defendants' pleadings and enter default judgment against them.

2. As a penalty for failing to timely respond to plaintiff's discovery requests, if either counsel deems it advisable to take Leander Leander's deposition in Hawaii, defendants shall pay \$750 to Mr. Waiti for partial travel costs at least 72 hours before Mr. Waiti departs for Hawaii. If defendants fail to comply with this paragraph, I will, upon motion, strike the deposition, strike defendants' pleadings, and enter default judgment against them.

3. Except for the potential deposition of Leander Leander, no new discovery is allowed.

4. All discovery, including the potential deposition of Leander Leander, shall be completed on or before May 11, 2018.

5. Pre-trial motions shall be filed on or before May 31, 2018.

6. Pre-trial motions, if any, will be heard at 10:00 a.m. on June 29, 2018.
7. A two-day bench trial will be held on October 10 and 11, 2018, beginning at 9:00 a.m. each morning.

DATED this 22nd day of January, 2018.

BY THE COURT:



COLIN R. WINCHESTER
Associate Justice

IN THE HIGH COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS

Eigigu Holdings Corporation)
)
) Plaintiff)
)
) v)
)
) Civil Case No. 2016-067
)
) **CERTIFICATE OF**
) **SERVICE**
)
) Leander Leander and Lijun Leander)
)
) Defendant)
)
)

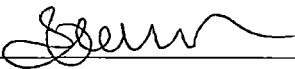
I, Tanya Lomae, Asst. Clerk of the Courts, hereby certify that on 1/22/18

I served the Order Arising From Pre-Trial Motion Hearing and Pre-Trial Conference

filed 01/22/2018 in the above captioned matter on:

1. Divine Waiti by Email Fax Personal Hand Delivery
2. James McCaffrey by Email Fax Personal Hand Delivery
3. _____ by Email Fax Personal Hand Delivery
4. _____ by Email Fax Personal Hand Delivery

Attached is a copy of my Sent Email / Fax Confirmation.


Tanya Lomae
Asst. Clerk of the Courts
Marshall Islands Judiciary

FILED:

FILED

JAN 22 2018


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