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FILED

MAY 15 2018

ASST. CLERK OF COURTS  
REPUBLIC OF THE MARSHALL ISLANDS

Attorney for Defendant

IN THE HIGH COURT  
REPUBLIC OF THE MARSHALL ISLANDS

EIGIGU HOLDING CORPORATION

Plaintiff,

vs.

LEANDER LEANDER and LIJUN LEANDER

Defendants

Civil Action No. **2014-067CRW**

OPPOSITION TO MOTION TO ENLARGE  
TIME FOR DISCOVERY AND PRE-  
TRIAL MOTIONS; DECLARATION OF  
JAMES MCCAFFREY; and CERTIFICATE  
OF SERVICE

Comes now Defendants, by and through their attorney James McCaffrey, and hereby oppose the Motion to Enlarge Time for Discovery and Pre-Trial Motions filed by Plaintiffs on 11 May 2018, as it relates to a potential deposition, on the following grounds:

1) Plaintiffs have had nearly **four (4) months** since the Court's 22 January 2018 to take the deposition of Leander Leander -- they have simply failed to do so;

2) Defendant's counsel attempted to coordinate a potential deposition, if any, sometime before leaving Majuro on 16 April 2018. At that time, Plaintiff's counsel was also uncertain about the funding of a deposition by his client. Defendant's counsel is committed to a house rebuilding project until his return to Majuro on 4 June and matters in Majuro in June and July as more fully detailed in his attached Declaration.

3) Enlarging time for a deposition that Plaintiff has had nearly four months to take will upset the Court's carefully constructed schedule and potentially affect the 10-11 October trial date.

Although the Motion itself is silent about the length of time to be enlarged, the Declaration of Divine Waiti refers to “another two weeks.” As to enlarging of the deadline for pre-trial motions for ‘another two weeks’, i.e. to 14 June 2018, Defendants do not oppose that portion of the Motion as such will not affect the scheduled hearing date of 29 June 2018 for pre-trial motions.

Dated: 14 May 2018  
Baja California

By: \_\_\_\_\_



James McCaffrey  
Attorney for Defendants

Digitally signed by James McCaffrey  
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c=MH  
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IN THE HIGH COURT  
REPUBLIC OF THE MARSHALL ISLANDS

EIGIGU HOLDING CORPORATION

Plaintiff,

vs.

LEANDER LEANDER and LIJUN LEANDER

Defendants

Civil Action No. **2014-067 CRW**

DECLARATION OF JAMES McCAFFREY

I, James McCaffrey, do hereby declare and state under the penalty of perjury:

1. I am the attorney for the Defendants in this action.

2. The facts in this Declaration are of my personal knowledge and I am competent to testify and can testify to the contents of this Declaration at trial.

3. In December 2007, my house in Baja California was partially destroyed by fire. This year I am rebuilding that house with the help of my brother who is a professional carpenter in Washington State and local workers. I spent mid-January to mid-March in Baja California on this project. I am currently in Baja California where with local workers I have made progress on the rebuilding while awaiting the arrival of my brother later this week. We will then do a variety of skilled projects involving garage, plumbing, and custom electrical before I leave for Majuro on 2 June. In mid-July, I will return for several months to complete the project. I am maintaining a full time law practice while this goes on and scheduling work around court-ordered dates and hearings as well as my brother's schedule. I mention all this because it limits my ability to respond to impromptu matters or changes.

4. On 6 June 2018, I have a hearing in the High Court (CJ Ingram) in a major offshore matter. On 20 June 2018, I have oral argument in the Supreme Court in a major offshore matter. On 10 July 2018, I have a trial in a local matter before Justice Winchester which will require preparation in June

5. Pursuant to the Court's Order of 22 January 2018 Defendants timely complied with Plaintiff's outstanding discovery requests.

6. Sometime before leaving Majuro in mid-April I visited counsel Divine Waiti at his offices. The purpose of that visit was to enquire whether he was going to exercise his right to take the potential deposition of Leander Leander on or before 11 May 2018. My best recollection is that Mr. Waiti was unable to answer that question because he did not know then whether his client wanted to take that deposition or was willing to fund it.

7. I had arranged to be available for any deposition up until 11 May 2018. A change to sometime in next two weeks severely impacts me personally. A change to sometime in June would hurt two major offshore clients and one local client.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 14 May 2018  
Baja California



Digitally signed by James McCaffrey  
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James McCaffrey

Civil Action No. 2014-067, EIGIGU HOLDINGS CORP v. LEANDER

METHOD OF FILING

The foregoing

OPPOSITION TO MOTION TO ENLARGE TIME FOR DISCOVERY AND PRE-TRIAL  
MOTIONS; DECLARATION OF JAMES McCAFFREY

was filed with the High Court in Majuro on the date below-written.

CERTIFICATE OF SERVICE

I hereby certify that an exact duplicate of the document(s) filed above was duly served upon  
the below-named person(s) on the date below written by sending them a copy

( X ) by Email to the email address opposite their name:

Divine F. Waiti  
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Counsel for Plaintiff EIGIGU HOLDINGS CORP.

[djwaiti@gmail.com](mailto:djwaiti@gmail.com)

Dated: 14 May 2018  
Baja California

*/s/ James McCaffrey*  
JAMES McCAFFREY  
Attorney for Defendants LEANDER