## IN THE SUPREME COURT REPUBLIC OF THE MARSHALL ISLANDS

| Virgilio T. Dieron, Jr., | ) | Supreme Court No. 2018-015         |
|--------------------------|---|------------------------------------|
| •                        | ) | High Court Civil Case No. 2017-245 |
| Plaintiff/Appellant      | ) |                                    |
|                          | ) |                                    |
| Vs                       | ) | SUPREME COURT CLERK'S              |
|                          | ) | CERTIFICATE IN RE: FILING OF       |
| Star Trident XII, LLC    | ) | THE RECORD ON APPEAL               |
|                          | ) |                                    |
| Defendant/Appellee       | ) |                                    |
|                          | ) |                                    |

This is to certify that a list of all records on appeal (Record on Appeal) is attached hereto and that I have caused it to be filed on this 23<sup>rd</sup> day of August 2019 pursuant to Supreme Court Rule 11 (c) and 12 (b).

Parties are hereby notified that the filing of the Record on Appeal begins the time (40 days period) for filing of Appellant's Opening Brief pursuant to Supreme Court Rule 28 (b).

Dated: August 23, 2019

Ingrid K. Kabua

Supreme Court Clerk, Marshall Islands Judiciary

FILED

REPUBLIC OF THE MARSHALL ISLANDS

# FILED

## IN THE SUPREME COURT REPUBLIC OF THE MARSHALL ISLANDS

| AUG 23 2018                                    |    |
|--|----|
| CLERK OF COURTS REPUBLIC OF THE MARSHALL ISLAN |    |
| REPUBLIC OF THE MARSHALL ISLAN                 | D. |

|                         |   | REPUBLIC OF THE MARSHALL ISLAM       |
|-------------------------|---|--------------------------------------|
| Virgilio T. Dieron Jr., | ) | Supreme Court No. 2018-015           |
|                         | ) | High Court Civil Action No. 2017-245 |
| Plaintiff-Appellant     | ) |                                      |
|                         | ) |                                      |
| v.                      | ) |                                      |
|                         | ) | RECORD ON APPEAL                     |
| Star Trident XII LLC    |   |                                      |
|                         | ) |                                      |
| Defendant-Appellee.     | ) |                                      |
|                         | 1 |                                      |

| 1  | 10/16/2017         | 6   | Complaint for Damages For Negligence and for Unseaworthiness  |
|----|--------------------|-----|---|
| _2 | 10/18/2017         | 1   | Return of Service (ROS) for (Complaint for Damages For Negligence and for Unseaworthiness)  |
| 3  | 11/7/2017          | _ 1 | Stipulation for Continuance of Time Which to File an Answer or other Responsive Pleading  |
| 4  | 12/7/2017          | 43  | Motion to Compel Arbitration; Memorandum in support; Declaration of Lilli May M. Maduro, Exhs'1'to'6'; Declaration of Georgia Mastagaki; Declaration of Dennis Reeder, Exh'1'to '6'; Certificate of Service (COS)           |
| 5  | 12 <i>/</i> 7/2017 | 45  | Motion for Leave to Intervene and to Compel Arbitration; Memorandum in support; Declaration of Ma Lilli M. Madur, Exhs "1" to "6", Declaration of Georgia Mastagaki; Declaration of Dennis Reeder, Exhibits "1" to "6"; COS |
| 6  | 12/27/2017         | 4   | Stipulation for Continuance of Time in which to file Opposition and Reply to Motion to Compel and Motion to Intervene; ORDER; COS; Email  |
| 7  | 1/17/2018          | 21  | Plaintiff's Opposition to Star Trident SII, LLC's Motion to Compel<br>Arbitration   |
| 8  | 1/17/2018          | 12  | Opposition to Star Bulk Ship management Company (Cyprus) Limited's Motion to Intervene and to Compel Arbitration  |
| 9  | 1/17/2018          | 2   | Notice of Entry of Appearance of Co-Counsel for Plaintiff and COS   |

| 10  | 1/29/2018         | 2    | Order; COS   |
|-----|-------------------|------|--|
| 11  | 2/9/2018          | 13   | Reply in Support of Motion to Compel Arbitration; Supplemental Declaration of Georgia Mastagkis; Declaration of Dennis J. Reeder, Exhibits "1" to "6"; COS                                     |
| 12  | <i>2/</i> 9/2018  | _ 13 | Reply in Support of Motion for Leave to Intervene and Compel Arbitration; Supplemental Declaration of Georgia Mastagaki; Declaration of Dennis J. Reeder, Exhibit "1"; COS                     |
| 13  | 2/12/2018         | 2    | Order Rescheduling Conference; COS   |
| 14  | 2/14/2018         | 3    | Order; COS; Email  |
| 15  | 2/14/2018         | 24   | Plaintiff's Motion to Admit Kenny Hooks and Richard Jerry Dodson Pro<br>Hac Vice; Declaration of Kenny Hook; Exhibit A; Declaration of Richard<br>Jerry Dodson; Exhibit B; Proposed Order; COS |
| 16  | 2/14/2018         | 1    | Order Granting Plaintiff's Motion to Admit Kenny Hooks and Richard Jerry Dodson Pro Hav Vice   |
| 17  | 2/19/2018         | 2    | Notice Regarding Oral Argument; COS  |
| 18  | 2/22/2018         | 2    | Order Granting Leave to File Sur-Sur Replies; COS  |
| 19  | 3/2/2018          | 23   | Motion to Admit Nenad Krek Pro Hac Vice; Declaration of Nenad Krek; Application of Nenad Krek; Proposed Order; COS   |
| _20 | 3/5/2018          | 2    | Entry of Appearance  |
| 21  | 3/19/2018         | 15   | Sur-Sur Reply in Support of Motion to Compel Arbitration; COS  |
| 22  | 3/29/2018         | 3    | Plaintiff's Motion for Leave to File Response to Defendant's Sur-Sur-Reply In Support of Motion to Compel Arbitration; COS   |
| 23  | 3/29/2018         | 7    | Plaintiff's Response to Star Trident XII, LLC's Sur-Sur-Reply in Support of Motion to Compel Arbitration   |
| 24  | 4/2/2 <u>0</u> 18 | 5_   | Motion to Strike Plaintiff Supported Responses to Defendant's Sur-Reply Re Motion to Compel Arbitration; Memorandum in Support; COS  |
| 25  | 4/3/2018          | 4    | Memorandum in Opposition to Plaintiff's Motion to File a Response to Defendant's Sur-Sur-Reply in Support of Motion to Compel Arbitration; COS   |
| 26  | 4/4/2018          | 4    | Plaintiff's Motion for Leave to File Response to defendant's Sur-Sur-Reply In support of Motion to Compel Arbitration  |
| 27  | 4/9/2018          | 2    | Order Rescheduling Status Conference; COS  |

|    |            |    | <del></del>   |
|----|------------|----|---|
| 28 | 4/11/2018  | 4  | Order Denying Leave to File Responses, Striking Response, and Scheduling Oral Argument; COS; Email  |
| 29 | 4/24/2018  | 3  | Order Rescheduling Motion Hearing; COS; Email   |
| 30 | 4/24/2018  | 3_ | Motion to Re-Schedule Hearing on Defendant Star Trident XII, LLC Motion to Compel Arbitration and Intervening Defendants Motion to Intervene and Compel Arbitration; Proposed Order; COS  |
| 31 | 6/18/2018  | 3  | Order for Status Conference; COS; Email   |
| 32 | 6/22/2018  | 3  | Order; COS; Email   |
| 33 | 6/23/2018  | 2  | Order; COS  |
| 34 | 9/20/2018  | 3  | Order for a Status Conference; COS; Email   |
| 35 | 9/27/2018  | 2  | Stipulation   |
| 36 | 9/27/2018  | 2  | Order; COS  |
| 37 | 10/19/2018 | 64 | Amended Motion to Compel Arbitration; Memorandum in Support; Declaration of Ma Lilli May M.Maduro, Exhibits "1"to "6, Declaration of Georgia Mastagaki; Supplemental Declaration of Georgia Mastagaki; Declaration of Dennis Reeder, Exhibits "A" and "B"; Declaration of Nenad Krek, Exhibits "1"to "4"; COS |
| 38 | 11/12/2018 | 2  | Order; COS  |
| 39 | 11/13/2018 | 3  | 2nd Order Re Formatting; COS  |
| 40 | 11/13/2018 | 3  | 3rd Order Re Formatting; COS; Email   |
| 41 | 11/15/2018 | 11 | Order Granting SBSC's Motion to Intervene; COS; Email   |
| 42 | 11/15/2018 | 47 | Notice of Plaintiff's Opposition to Def. Star Trident XII, LLC's Amended Motion to Compel Arbitration   |
| 43 | 11/23/2018 | 11 | Order Granting Motions to Compel Arbitration; COS   |
| 44 | 12/21/2018 | 13 | Plaintiff's Notice of Appeal to the Supreme Court Under Rule 3&4 of the RMI Rules of Supreme Court  |

# IN THE SUPREME COURT OF THE REPUBLIC OF THE MARSHALL ISLANDS

| Virgilio T. Dieron                                       | )         | Appeal          | Case No.           | 2018-015 |  |
|--|-----------|-----------------|--------------------|----------|--|
| Appellant/Pltf.  |           |                 |                    |          |  |
| <u>V.</u>  | )         |                 |                    |          |  |
|  | )         |                 | FICATE OF          |          |  |
| Star Trident XII LLC                                     | )         | SERVIC          | CE                 |          |  |
| Appellee/Def.  |           |                 |                    |          |  |
|  |           |                 |                    |          |  |
|  |           |                 |                    |          |  |
| I, Ingrid Kabua , Chief Clerk of the Co                  | urts, her | eby certify tha | t on 8/23/19       |          |  |
| I served the Record on Appeal; SC Clerk's Certificate; & | Corrected | Cert.           |                    |          |  |
| filed in the above captioned                             |           | -               |                    |          |  |
| 1. Dennis Reeder by 🖌 E                                  | Email     | Fax             | Personal Hand      | Delivery |  |
| 2. Tatyana Cerullo by 🔽 E                                | Email     | Fax             | Personal Hand      | Delivery |  |
| 3 by E   | Email     | Fax             | Personal Hand      | Delivery |  |
| 4 byE  | Email     | Fax             | Personal Hand      | Delivery |  |
| Attached is a copy of my Sent Email / Fax Confirmation.  |           |                 |                    |          |  |
| Ingrid Kabua   | LED:      | F               | [LE]               | D        |  |
|  |           | \               | UG 23 2 <b>019</b> |          |  |
| _Clork of the County                                     |           |                 | 7. Y. J            |          |  |
| Marshall Islands Judiciary                               |           | CLER            | KOF COURTS         |          |  |





#### Marshall Islands Judiciary <marshall.islands.judiciary@gmail.com>

#### Record on Appeal, 2018-015, Dieron v Star Trident

Marshall Islands Judiciary <marshall.islands.judiciary@gmail.com>
To: Tatyana Cerullo <tc.law.lllc@gmail.com>, Dennis Reeder <dreeder.rmi@gmail.com>

Fri, Aug 23, 2019 at 4:31 PM

lakwe Tatyana and Dennis,

Attached is the Record on Appeal (ROA) and Clerk's Certificate re: the ROA.

Please confirm receipt.

Thanks,

Ingrid

Republic of the Marshall Islands Judiciary P.O. Box B Majuro, MH 96960 Phone: (692) 625-3201/3297 Fax: (692) 625-3323

Fax: (692) 625-3323 Website: rmicourts.org

SC2018-015ROA; SCClerkCert.pdf 1955K





#### Marshall Islands Judiciary <marshall.islands.judiciary@gmail.com>

#### Record on Appeal, 2018-015, Dieron v Star Trident

Marshall Islands Judiciary <marshall.islands.judiciary@gmail.com>
To: Tatyana Cerullo <tc.law.lllc@gmail.com>, Dennis Reeder <dreeder.rmi@gmail.com>

Fri, Aug 23, 2019 at 4:47 PM

Counsel,

Please find attached corrected Clerk's certificate. I had to make some minor corrections is the case caption.

Kindly confirm receipt.

Thanks,

Ingrid

[Quoted text hidden]

SC2018-015SCClerkCert.pdf

## IN THE SUPREME COURT REPUBLIC OF THE MARSHALL ISLANDS

| Virgilio T. Dieron, Jr.,       | )  | Supreme Court No. 2018-015         |
|--------------------------------|----|------------------------------------|
|                                | )  | High Court Civil Case No. 2017-245 |
| Plaintiff/Appellant            | )  |                                    |
|                                | )  |                                    |
| Vs                             | )  | SUPREME COURT CLERK'S              |
|                                | )  | CERTIFICATE IN RE: FILING OF       |
| Star Trident XII, LLC          | )  | THE RECORD ON APPEAL               |
|                                | )  |                                    |
| (Juvenile) Defendant/Appellant | )  |                                    |
|                                | _) |                                    |

This is to certify that a list of all records on appeal (Record on Appeal) is attached hereto and that I have caused it to be filed on this 23<sup>rd</sup> day of August 2019 pursuant to Supreme Court Rule 11 (c) and 12 (b).

Parties are hereby notified that the filing of the Record on Appeal begins the time (40 days period) for filing of Appellant's Opening Brief pursuant to Supreme Court Rule 28 (b).

Dated: August 23, 2019

Ingrid K. Kabua

Supreme Court Clerk, Marshall Islands Judiciary

FILED

CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS