

IN THE TRADITIONAL RIGHTS COURT
REPUBLIC OF THE MARSHALL ISLANDS

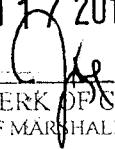
KATIP MACK)
)
)
Plaintiff,)
)
vs.)
)
TONY ROBERT, et al.)
)
Defendant)
_____)

Civil Action No. 2005-127 & 2007-217
CONSOLIDATED

MELELE KO AN CASE EO

FILED

JUN 17 2011


ASST. CLERK OF COURTS
REPUBLIC OF MARSHALL ISLANDS

RO UAAN COURT PANEL EO: Walter K. Elbon, Chief Judge
Botlang Loeak, Associate Judge
Grace Leban, Associate Judge

RAAN IN RONJAKE : April 18 – May 11, 2011

JIKIN RONJAKE EO : Uliga, Majuro Courthouse

WAWEN KO KAR KOMMANI:

1. (a) Kajitok No. 1 einwot kar jakemantak: Dri Abnono eo ej ke armej eo ekkar im jimwe ekkar non mantin Marshall bwe en kabwijer maron eo an Alap im Dri Jerbal ilo jabon turilik in Eneloklap Island ilo Arno Atoll, Republic eo an Marshall Islands? Ne jab, inem won?

(b) Uaak eo non kajjitok No. 1:

Aet, Katip Mack, Dri Abnono eo ej e eo ej kabwijer maron eo an Alap im Dri Jerbal ilo jabon turilik in Eneloklap Island ilo Arno Atoll, Republic eo an Marshall Islands.

(c) Komelele ko ilo tu kadru ikkijen un ko non uaak eo an kajjitok No. 1 ej berber ioer einwot an walok ilo melele kein:

Ekkar non jemlok (Judgement) eo an High Court eo an kien eo anTrust Territory, Civil Action 45/54, Lioeon, kora eo jinen Dri Abnono eo kar kwalok bwe e eo ej Alap im Dri Jerbal non jabon turilik in Eneloklap Island ilo Arno Atoll. Jemlok in ear berber wot ion kwon im erra eo an party kein jimor im Iroiilaplap eo ilo tore eo, Tobo ear kowepenne, ekar non jimwe eo iumin Manit (lale plaintiff exhibit No. A) Ilo naan in kamol ko an ruo ian dri kamol ro an dri jumae abnono, Tony Robert im Mikja Namidrik, Tony Robert ear ba bwe armei eo ear ekkar bwe en alap im dri jermal ilo jabon turilik in Eneloklap Island ej Andre eo(emij) ijowotke, ear jab kemeleleiki etke ejimwe im ekkar bwe Andre en e eo ei alap im dri jermal ijin. Ejjelok jabdrewot abnono Andre ear kommane nae jemlok eo ilo TT Civil Action 45/54. Dri kamol Mikja Namdrik ear kwalok bwe eo ekkar bwe en alap im dri jermal non jabon turilik in Eneloklap Islands ej Anjua Jiwirak. Ilo naan in kamol ko an ear ba bwe Anjua Jiwirak ear jela kin jemlok eo ilo TT Civil Action 45/54, ijowotke ejjanin wor jabdrewot an abnono emwij an file e ilo court tok non rainin ikkijen TT Civil Action 45/54.

(d) Etan im address ko an Dri Kamol ro an Dri Abnono eo im rar kamol ikkijen kajjitok No. 1 im 2:

- 1) Kitamon Bunglick, Majuro Atoll
- 2) Raymond George, Majuro Atoll
- 3) Langtimur Jormelu, Majuro Atoll
- 4) Bikam Latdrik, Majuro Atoll
- 5) Katip Mack, Majuro Atoll

(e) Etan im address ko an Dri Kamol ro an Dri Jumae Abnono in im rar kamol ikkijen kajjitok

No. 1 im 2:

- 1) Irene Bunglick, Majuro Atoll
- 2) Kejjeb Jetton, Majuro Atoll
- 3) Zed Zedkeia, Majuro Atoll
- 4) Tony Robert, Majuro Atoll

2. (a) Kajjitok No. 2 einwot kar jakemantak: Won eo ej alap im Senior Dri Jerbal non Kinnini Wetu, Arno Atoll, Republic eo an Marshall Islands? "Elane ak jab Kalimur eo Rilang Tarkeim ear komane ilo October 19, 1987 ejjelok kitien im ejjab jermal ekkar non mantin Marshall."

(b) Uaak non kajjitok No. 2:

Irene Bunglick. Kalimur eo an Rilang Tarkeim im ear komman ilo October 19, 1987 ejjelok kitien im ejjab jermal ekkar non mantin Marshall.

(c) Komelele ko ilo tukadru ikijen un ko non uaak ko an kajjitok No. 2 ej berbed ioer enwot an walok ilo melele kein:

Dri Abnono eo Katip Mack ilo naan in kamol ko an ear ba bwe Kinnini Wetu kar ilo jino in mon bwij an dri jumae abnono in. Alikar bwe ne imon bwij innem ear ejaak im jino loltak jen Libo ekkar non Menmenbwij eo an dri jumae abnono rein, Zed Zedkeia im ro jein im jatin. Ekar ejjelok naan in jumae ko elane Menmenbwij in ejimwe im mol karok im lairak ko iloan. Dri Abnono in, Katip Mack ej berber e melele eo an ke Kinnini Wetu ilo kar jino in kar imon bwij an bamle eo an dri jumae abnono Zed Zedkeia ak kar lelok einwot juon menin lelok ak Katlep jen Beijok non leo mandren, Labwinton ilo kar tore ko an Dri

German ro. Ilo abnono eo (Verfied Complaint) im ear file ilo December 4, 2007, ejjelok ijon ej kenono kin "Katlep" ie. Ilo affidavit eo an Langtimur Jormelu, eo im ear file ilo December 4, 2007 (Plaintiff Exhibit D) ear ba bwe Kinnini Weto ej imon Katlep jein Beijok non Labwinton. Ijowotke, ilo kar September 10, 2008, Leroij Langtimur Jormelu ear jenliktak ak withdraw im ukot lemnak eo an im jolok an kar riie enaan eo kar an ilo affidavit eo ear signe i im kar file ilo December 4, 2007.

Ilo jet ian jemlok ko an Tradtional Rights Court eo, rej kalikar bwe ekkar non mantin Marshall, *Katlep* ak kommane juon *Katlep* ej an Iroiilaplap wot (lale Uwaak im Komelele ko ilo TRC, High Court Civil Action No. 1990-053). Bareinwot *Katlep* ejjab non ro ilo nukin eo (lale melele ko im uaak eo an TRC ilo High Court Civil Action 1996-161). Kin menin, ej alikar bwe *Katlep* in im Beijok ear kommane non Labwinton ear jab jimwe im jeijet ekkar non mantin Marshall.

Ikkijen Kalimur eo ak pepa eo Rilang Tarkeim ear sign I ilo kar October 19, 1987, court in an manit ej loe bwe ejjelok kitien kinke Rilang Tarkeim ejekkar bwe e eo en kar koweppene bwe ear jab juon Iroiilaplap ilo tore eo. Leroijlaplap Melon Jawin en kar e eo ej koweppene. Leroij Lijek Robert ear kamol wot ilo kalimur in ak pepa in. Elane Melon Jawin ear sign ilo kalimur eo an Lieoen Mack (Plaintiff Exhibit E) ilo kar August 22, 1990, im koweppene iben Rilang Tarkeim, etke ear jab ri-Kamol ak ri-Koweppene kalimur ak pepa eo an Rilang Tarkeim im ear koman ilo October 19, 1987? Kalimur ak pepa kein aolep rekar jab notarized. Leiroij laplap eo kio, Langtimur Jormelu ear ba ilo naan in kamol ko an ke Counsel eo an Dri Abnono eo kar kajitikini elane ej kile ak jab signature eo an Rilang Tarkeim, im eo an Melon Jawin ilo kalimur ak pepa kein im ear ba ejjab. Kin menin, Court eo ikkijen Maniit ej lo bwe ekkar im jeijot bwe Irene Bunglick, eo im eritto jen Zed Zedekia,

im eo im ej mour wot, ekkar bwe en kabwijer maron eo an alap im senior dri jermal ilo
Kannini Weto, Arno Atoll, Republic eo an Marshall Islands.

3. Men ko raurok im pepa in kamol ko kar boki:

Civil Action No. 2005-127

- 1) Plaintiff Exhibit A - Trust Territory Civil Action No. 45
- 2) Plaintiff Exhibit B – Affidavit eo an Langtimur Jormelu

Civil Action No 2007-217

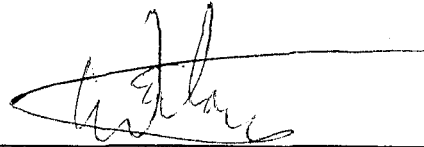
- 1) Plaintiff Exhibit A - Menmenbwij
- 2) Plaintiff Exhibit B – Arno Ownership photo copy of page 27
- 3) Plaintiff Exhibit C – Kalimur (October 19, 1987)
- 4) Plaintiff Exhibit D – Affidavit eo an Leroij Langtimur Jormelu (December 4, 2007)
- 5) Plaintiff Exhibit E – Pepa in Kalimur non ajelok maron
- 6) Plaintiff Exhibit F – Pepa in Kalimur eo an Lakamo
- 7) Defendant Exhibit A – Menmenbwij
- 8) Defendant Exhibit B – Power of Attorney
- 9) Defendant Exhibit C – Naan in Withdraw ak ukot an lemnak

4. Men ko jet im panel eo ej tomak bwe rej aikuj in walok:

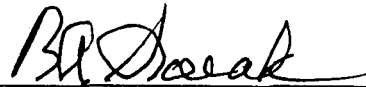
- 1) Ilo book eo im ej nae etan, “Kabua Customary Titles and Inherent Rights”, ej kwalok melele in ke non komane juon *Katlep*, ej an Iroiilaplap wot iermal. Bareinwot ilo book eo an Tobin, “Land Tenure”, ej bar kwalok melele in ke *Katlep* ej an wot Iroiilaplap eo komane

2) Manmaronron: Ej juon mantin Marshall eo im ej jermal iloan juon bwij elane ewor lomaro im redrik lok jen kora ro. Lomaro renaj jermal ekkar non weppen im kabbe eo jen kora ro reritto. Leo ej komani jermal ko non kora ro reritok jen e, ijowotke, elan ej itok non koweppen juon bebe ak jemlok, ej an kora eo erito lok jen e eddo.

Raan: 6/17/11



PERSIDING JUDGE OF PANEL
Traditional Rights Court



JUDGE OF PANEL
Traditional Rights Court



JUDGE OF PANEL
Traditional Rights Court