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REPUBLIC OF THE MARSHALL ISLANDS

IN THE TRADITIONAL RIGHTS COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS

HENSEY H. SORIMLE, BERTINE LAKJOHN,)
and EMTY SORIMLE,)
)
Dri Abnono ,)
)
VS.)
)
LIWOJ JERBAL,)
)
Dri Jumae Abnono.)
_____)

CIVIL ACTION NO. 2016-143

KOLMENLOKJEN IM UWAK KO AN COURT EO
AN MANIT (TRC)

RO UWAAN PANEL EO: Presiding Judge Walter K. Elbon
Associate Judge Nixon David
Associate Judge Grace Leban

JIKIN: Majuro Courthouse

RAAN IN RONJAKE EO AN CASE IN: February 11-14, 19-21, & 26, 2019

IAKWELEL KO AN PARTY KO:

Ej iakwelel eo an Riabnono ro bwe ear wor juon tarinae ilo Ratak ean ilo 1850s-1860s ko, eo im Lobeia Lailik, Jitiam, rar itok non Ratak jen Kabinmeto ilo Ralik im tarinaik Murjel im Jortoka im bok anjo ilo tarinae in. Kin menin, Jortoka im Murjel rar lelok Airok, Maloelap im Biken, Aur non Lobeia. Bareinwot, Riabnono ro rej ba bwe Airok, Maloelap im Biken, Aur rej Morijinkwot ak Bok Maan Madre-Toor in Botoktok im bwe bod in ear ijino ilo tore eo Namdrik ilo an kar jab jimwe bwe en e eo ej kabjor maron eo an Irojlaplap, ak ear wonmanlok wot im anonake maron in kinke ej riturin Rontok, kora eo nejin Lijikit, im kinke Namdrik ejela ekkebal im ear bareinwot maron in kar kabjor maron eo an Irojlaplap ilo jikin kein ruo kenono kaki. Riabnono ro rej ba bwe er eo ejejet im jimwe bwe ren kabjor maron eo an Irojlaplap ilo Airok, Maloelap im Biken, Aur kinke rej bwijin Lailik.

Ej iakwelele eo an Rijumae Abnono eo bwe Airok, Maloelap im Biken, Aur rej imon Bwij. Rej imwon bwij jen Lijekwa, eo im eritto jen Likakom (Defendant's Exhibit E). Rijumae Abnono eo ej ba bwe maron eo an Irojlaplap ear ber iben bwij eo aer elonlak jen 96 iio ko, im bwe bwij eo eritto ej kabjer maron an Irojlaplap ilo Airok, Maloelap im Biken, Aur non rainin.

KAJITOK EO AN PARTY KO:

Kajitok: Won ikotaan Hensey Sorimle im Liwoj Jerbal ekkar im jejot bwe ej e eo ej Irojlaplap im Iroj Edrik, im bwe ewor an maron, ej balek maron kein, im ewor an ilo Airok, Maloelap Atoll, im Biken, Aur Atoll?

UWAAK: Liwoj Jerbal.

MELELE KO REMOL IM KOLMENLOKJEN IM UWAAK EO EJ BEDBED ION:

Ilo ien ronjake eo, rikamol eo kein kajuon (1st) an Riabnono eo, Bertine Sorimle Lakjohn im tok alik rikamol eo kein kajilu (3rd) an Riabnono eo, Emti Sorimle, rar ba bwe Airok, Maloelap im Biken, Aur, rej Morijinkwot. Ekkar non Emti Sorimle, Morijinkwot ej ne Iroj eo ej tarinae im bok anjo ion juon bwidrej ak jikin, im/ak ne juon Iroj ej lelok non juon alab juon jikin kin an kar tarinae non e. Ijo wot ke, rikamol eo watoke etijemlok ilo manit, an Rijumae Abnono eo, Tijen Dick, ear ba ilo naan in kamol ko an ke ekkar non jela eo an kin mantin Majol, Morijinkwot ej elelok in juon bwirej ak jikin non juon ritarinae kin an kar beran im kin an kar katorak madre jen aer kakure Irojlaplap eo ilo ien tarinae. Ej juon menin lelok, ak jikin lelok non juon ritarinae eo im ej bareinwot juon kajur, jen Irojlaplap eo.

Riabnono ej bar ba bwe ear wor juon tarinae ilo kar 1800s ko im Lobeia kab lomaro jatun, Jitiam im Lajikit rar murmur tok jen Ralik non Ratak im tarinae iben Jortoka im Murjel. Ejja ilo melele in wot, Jortoka im Murjel rar luuj im kin menin erro kar lelok Airok, Maloelap im Biken, Aur non Lobeia im lomaro jatun, ijo wot ke ewor ruo naan in kamol ko im rej jumaik melele in. Ekkar non Hemly Benjamin, rikamol eo kein karuo (2nd) an Rijumae Abnono eo, ej ba bwe Lobeia, einwot an alikar ilo Defendant Exhibit E, ear mour ilo 1900s ko, im ekkar non naan in kamol ko an rebuttal rikamol eo an Riabnono eo, Philomena Asma Muller, ilo ien eo Panel eo ear kajitikini, ear ba bwe ekkar non Plaintiffs' Exhibit P7, Lobeia ej jen ebeben eo wot an Laelan im Jeimata, ro im Panel in emelele ke rej jen 1900s ko.

Ilo ien ronjake eo party kein ruo rar jakimantak non court in enwot kein kamol paper im naan in kamol an rikamol bwe ren kein kamol. Panel eo ear lo bwe melele ko ilo Plaintiffs' Exhibit 5 & 7 rar idrabortok iben dron, einwot ke Exhibit P5 ej lajrake Lobeia im jiljino (6) jatun armij, ak ilo Exhibit P7, ewor wot 3 jatun Lobeia rej kolajraki. Ekkar non Riabnono ro, Exhibit P9 ej juon bwebwenato jen Namdrik Jeik, eo ej rie ke Airok im Biken Jortoka im Murjel rar lelok non Lobeia alkin aer kar luji tarinae eo. Riabnono ro rej bar ba ke Namdrik ear anoknake maron eo an Irojlaplap eo im kora eo iben, Rontok, ear komaronne kake bwe en maron kar etal im ber ilo kwelok eo an Iroj ro ilo Jaluit. Elane emol ke Namdrik Jeik ear anoknake maron eo an Irojlaplap non Airok im Biken, alkin an kar ber lo kwelok eo an Iroj ilo Jaluit, inem etke Namdrik ear jab bar kwalok melele kein ilo bwebwenato in an (Plaintiffs' Exhibit P9)? Bareinwot, Panel in ej lo bwe ejabwe kein kamol non kwalok ke Exhibit P9 ej juon kein kamol eo emaron likit an kojatdrikdrik ie. Ejelok raan non kalikar ear je nat, im eltan pein Namdrik an kar sign ilo paper in eotak jen an kar sign ilo pepa in kamol eo juon im ear je ilo March 30, 1933, im court ear kadrelone ke ej Defendant Exhibit T. Court in ear bareinwot loe bwe ejabwe kein kamol ke ejejot im mol paper in kamol eo, Plaintiffs' Exhibit P10.

Ekkar non rikamol eo an Riabnono ro, Emtu Sorimle, Namdrik Jeik ear anoknake maron eo an Irojlaplap non Airok im Biken. Ear ba bwe Rontok, kora eo iben Namdrik, ej e ear kabjor maron eo an Iroj enwot ke ej kora eo nejin Lijikit. Emtu Sorimle ear bar ba bwe kora eo iben Namdrik, Rontok ear jilkinlak Namdrik non kwelok eo an Iroj ro ilo Jaluit non an jijot ilo etan Rontok im jinen. Kein kamol an Rijumae Abnono Defendant Exhibit Y ej kalikar bwe Tojeie ej e eo ear ber ilo kwelok in ilo Jaluit im an Iroj ro im ejab Namdrik. Ekkar non rebuttal rikamol eo an Riabnono ro, Mike Zackras, ej ba bwe lellap eo jibun, Lijikit ear kokajiririki. Ear bar ba bwe ekin loe aer boklak koj eo an Iroj Edrik non jibun im jab koj eo an Irojlaplap.

Ekkar non an Riabnono ro ba, Lobeia ear juon Irojlaplap in Ralik eo ear itok non Ratak im tarinae iben Irojlaplap in Ratak ro, Jortoka im Murjel. Kein kamol eo an Riabnono ro, Plaintiffs' Exhibit P6 ej kwalok ke Lobeia im Murjil rar jaini Bujen Jemjera eo ikotaan Iroj in Majol ro im kien eo an riGermany ro io October 25, 1885, ion wa eo H.M. cruisers Nautilus ilo iarin Aur. Exhibit P6 ej kalikar bwe jet ian Iroj rein rar sign i kwon in ejab er eo rej kabjor maron lo tore eo. Non wanjonok, jen Majuro ewor jilu (3) Iroj ro jen mona eo an Kaiboke im rar etal non wa eo Nautilus im sign i kwon eo. Kaiboke, eo im ear jijot lo tore eo, im bar ruo (2) armij, Reme im Luet, ro im rar bok maron eo alkin Kaiboke. Jen Ebon, ear wor emen (4) Iroj ro rar sign i kwon eo, ak ewor wot ruo (2) mojen ko ie. Ekkar non naan in kamol ko an rikamol eo

an Rijumae Abnono eo, Hemly Benjamin, ej ba bwe ekkar non kein kamol an Rijumae Abnono, Defendant Exhibit E, Lobeia enaj kar jijot alkin Tojeie, ijowot ke ear jab maron kabjer maron eo im ear etal non Namdrik. Kin menin, Panel eo ej tomak ke Lobeia ear sign i kwon eo, einwot juon Iroj eo enaj kar jijot alkin Irojlaplap eo lo tore eo, enwot an kar Iroj rein bar sign jen Majuro im Ebon.

MANIT IM IMENENE KO REJELET CASE IN:

1. *Morijinkwot* - Ej menin lelok eo ilontata jen juon Irojlaplap non juon an ritarinae.
2. *Bok Maan Made* – An juon ritarinae kotorake made ko jen rijumae ro jen aer kakure Irojlaplap eo ilo ien tarinae.
3. *Toor in Botoktok* – Toorlok in botoktok jen juon ritarinae alkin an kotorake made ko an rijumae ro jen aer kakure Irojlaplap eo.

KEIDI MANIT IBEN MELELE KO REMOL:

Alkin etale aoleben kein kamol ko ilo ien ronjake eo, Panel eo ej kile bwe Liwoj Jerbal ej e eo ekkar im ejejot bwe en kabjor maron eo an Irojlaplap non Airok, Maloelap im Biken, Aur ilo tore in. Panel eo ej bar kile bwe ejabwe kein kamol ko rekajur non kwalok ke Irojlaplap maron eo ilo Airok, Maloelap im Biken, Aur Lobeia im ro bwijin rar kabjore. Ikotaan tore eo Tojeie ear kabjor maron an Irojlaplap non tore eo Namdrik ear bok jikin Tojeie, ejelok kein kamol ke ro bwijin Lobeia rar kabjor maron ion Airok im Biken. Ear wor kein kamol ko im rar kalikar bwe Menaje Benjamin (Defendant Exhibit V), R. Namdrik (Defendant's Exhibit T), im Tojeie (Defendant Exhibit S), rar sign, botab ear ejelok non kamol ke ro bwijin Lobeia rar sign. Im mekarta ne court in enaj kar kile Riabnono rein, ak Hensey H. Sorimle eban kar maron kabjor maron an Irojlaplap kinke ekkar non menmenbwij eo an, Plaintiffs' Exhibit P5, Lijikit eo ej jen bwij eo eritto, ewor nejin ro rej mour wot rainin, im rej bareinwot ritto juon ebeben Ionlak jen Hensey Sorimle.

RIKAMOL RO AN RIABNONO RO:

1. Liwoj Jerbal
2. Bertine Sorimle Lakjohn
3. Emty Sorimle
4. Henchi Sorimle
5. Namdrik Labi
6. Walter Tartios

RIKAMOL RO JET AN RIABNONO RO:

1. Philomena Asma Muller
2. Martha Sorimle
3. Mike Zackras

RIKAMOL RO AN RIJUMAE ABNONO EO:

1. Rebecca Jello
2. Hemly Benjamin
3. Tijen Dick
4. Liwoj Jerbal
5. Irojlaplap Boklon Zackious

KEIN KAMOL KO AN RIABNONO:

1. Plaintiffs' Exhibit P1 - Letter to Irojlaplap Kotak Loeak (11/22/95)
2. Plaintiffs' Exhibit P2 – Letter to Jiba Kabua (2/19/96)
3. Plaintiffs' Exhibit P3 – Letter to Irojlaplap Kotak Loeak (3/27/98)
4. Plaintiffs' Exhibit P4 – Letter to Hiroshi Yamamura (3/2/99)
5. Plaintiffs' Exhibit P5 – Genealogy Chart of Mamjilan & Wanlur (Bok Maan Made Toor in Botoktok)
6. Plaintiffs' Exhibit P6 – 1885 Treaty of Friendship between the Marshallese Chiefs & the German Empire
7. Plaintiffs' Exhibit P7 – The Royal Genealogy of the Marshall Islands Ralik Chain
8. Plaintiffs' Exhibit P8 – Map of Maloelap and Aur Atolls
9. Plaintiffs' Exhibit P9 – Jibikbik In Kakobaba an Namidrik Jeik
10. Plaintiffs' Exhibit P10 – Documented Story by B.N.
11. Plaintiffs' Exhibit P12 – Lobeia & Limejko Genealogy

KEIN KAMOL AN RIJUMAE ABNONO EO:

1. Defendant's Exhibit A – May 10, 2007 Memo: re-Certification of Approval-Biken Island, Aur Atoll
2. Defendant's Exhibit B – Certificate of Death for Laelang Lelwoj
3. Defendant's Exhibit C – 1999 Biken Island Lease Agreement
4. Defendant's Exhibit D – February 15, 2005 Memo: re- Certification of Approval-Ronald Lelwoj


5. Defendant's Exhibit E – Genealogy Chart: Lobeia Tonuwia #17
6. Defendant's Exhibit F – High Court CA2008-238 Final Judgement
7. Defendant's Exhibit G – High Court CA2016-143 Affidavit of Rebecca Jello
8. Defendant's Exhibit H – High Court CA2016-143 Affidavit of Brojki Edmond
9. Defendant's Exhibit I – High Court CA2016-143 Affidavit in Support
10. Defendant's Exhibit J – High Court CA2016-143 Affidavit of Boklong Zakios
11. Defendant's Exhibit K – March 10, 2000 Memo: re- Land Lease Payment/Bikien Islands, Aur Atoll
for Oct. 1999-September 2000
12. Defendant's Exhibit L – Biken Land Payment
13. Defendant's Exhibit M – Death Certificate of Namdrik
14. Defendant's Exhibit N – Death Certificate of Andrew Benjamin
15. Defendant's Exhibit O – Death Certificate of Menasse Benjamin
16. Defendant's Exhibit P – Death Certificate of Oduj Benjamin
17. Defendant's Exhibit Q – Death Certificate of Ronald Lelwoj
18. Defendant's Exhibit R – Birth Certificate of Liwoj aka Loies Lelwoj
19. Defendant's Exhibit S – Nov. 21, 1923 Kamol of Tojeie
20. Defendant's Exhibit T – March 30, 1933 R. Namirik Lands document
21. Defendant's Exhibit U – June 23, 1970 Land Use Agreement on Airok, Maloelap
22. Defendant's Exhibit V – Aug. 21, 1976 Menaje B's Will
23. Defendant's Exhibit W – 2/08/19 RMI Check History
24. Defendant's Exhibit X – 2/08/19 RMI Check History
25. Defendant's Exhibit Y – 3/16/15 The Marshall Islands in 1921 (facebook.com/Pashifika
Renaissance/photo)

MELELE KO JET PANEL IN EJ TOMAK REKAR NON KWALOKI


Ilo kar ien ronjake eo, unin kenono eo bwe ewor ruo an Biken, Aur Irojlaplap ear wonlontak. Ekkar non naan in kamol ko an Irojlaplap Boklon Zackious, ej ba bwe ejelok an maron ion Airok, Maloelap, botaab ewor an maron ilo Biken, Aur. Naan in kamol ko rej kwalok bwe an wor ruo (2) Irojlaplap ilo Biken, Aur ear ijino ilo 1999, alkin an sign Lease Agreement eo an Biken.

Ilo melele ko ikijen tarinae eo ikotaan Lobeia im lomaro jatun nae Jortoka im Murjel, Panel in ej bar bok melele in bwe lo etto elane ej tarinae ruo Iroj, Iroj eo e luj enaj bareinwot luji maron ko aoleb an ilo ijok aoleb jikin im eo e win enaj buki aoleb maron im jikin kein im an. Enin ej lemnak eo an Panel in ikijen mantin tarinae kar etto.

Raan: May 3 2019



Associate Judge Nixon David, TRC



Associate Judge Grace Leban, TRC