

JAN 23 2020

ASST. CLERK OF COURTS  
REPUBLIC OF THE MARSHALL ISLANDS

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

NOAH NOAH and ALEXANDER NOAH	)	CIVIL ACTION ON. 2015-095
	)	
Plaintiffs,	)	
VS	)	
	)	
AQUA PATRICK and QUINCY CALEP	)	UAAK IM KOLMENLOKJEN
	)	EO AN COURT EO AN MANIT
Defendants,	)	(TRC)
	)	
BATLE LATDRIK,	)	
Intervenor.	)	
	)	

**RO UAAN PANEL EO:** Acting Presiding Judge Grace Leban  
Associate Judge Nixon David  
Pro Tem Associate Judge Caios Lucky

**JIKIN RONJAKE EO:** Majuro Courthouse

**RAAN IN RONJAKE:** November 22 & 28, 2018; May 7, 2019; November 29, 2019

**IAKWELEL KO IKOTAN PARTY KO:**

Ri-Abnono ro rej ba bwe rej kabjor maron ko jimor an Alap im Ri-gerbal ion aolepen  
Lokejbar weto. Rej ba bwe Lokejbar ear imon bwij botab kar ajelok non lollap eo jemeir, Bojan  
Noah, einwot imon ninnin, jen lollap eo jemem Noah Ronol. Ekkar non ri-abnono ro, mokta jen  
an kar jako lollap eo jemeir, Bojan Noah, ear kommane juon kalimur im lelok aolepen Lokejbar  
weto non ajiri ro nejn, ekoba Noah Noah im Alexandere Noah.

Ri-Jumae abnono ro rej ba bwe Bojan Noah ear kommane juon kalimur im ajelok tu-iar in Lokejbar weto non Aqua Patrick, itok jen an kar lale im kejbarok erro kora eo ippen ke raar jibadrokllok Hawaii im takto.

Intervenor eo Batle, ej ba bwe Lokejbar weto kar imon bwij jen Lijeri, jinen Liolet im Kejon. Lijeri ear armej eo jinoin im ekar kabjor maron eo an alab ilo Lokejbar weto. Elkin an jako Lijeri, im mokta jen an kar komman Land Determination eo an 1959, Liolet ear jolete maron eo an alab ion Lokejbar weto im bar jet weto. Elkin Liolet Anjo ear bok jikin, im elkin Anjo Laninbit ear bok jikin, innem Rimond Latdrik, likao eo jein Intervener Batle. Kio, Batle, ej ba bwe e eo ekkar bwe en kabjor maron eo an Alab ion aoleben Lokejbar weto.

#### **KAJJITOK KO KAR LETOK NAN TRC:**

1. Ikotaan Noah Noah, Aqua Patrick, im Batle Latdrik, im ro rej erra im claim ibbeir, won eo ej alap in tu-iar in Lokejbar weto, Delap Island, Majuro Atoll, Republic of the Marshall Islands?
2. Ikotaan Noah Noah im Batle Latdrik, im ro rej erra im claim ibbeir, won eo ej alap in tu-lik in Lokejbar weto, Delap Island, Majuro Atoll, Republic of the Marshall Islands?
3. Ikotaan Alexander Noah and Quincy Calep, im ro rej erra im claim ippeir, won eo ej senior dri-jerbal in tu-iar in Lokejbar weto, Delap Island, Majuro Atoll, Republic of the Marshall Islands?

#### **UAAK KO:**

Uwaak non Kajitok 1: Aqua Patrick

Uwaak non Kajitok 2: Noah Noah

Uwaak non Kajitok 3: Quincy Calep

**MELELE KO REMOL IM KOLMENLOKJEN IM UAAK EO EJ BEDBED IOER:**

Rein in rej bok kunaer ilo case in rej aolep jimor im erra bwe Irojlaplap Lein Patrick Zedkaia ej e eo im ej kabjer maron eo an Irojlaplap ion Lokejbar weto rainin. Rej bareinwot erra bwe ilo 1959, armej eo ear kabjer maron eo an alab ilo tore ne ej Liolet.

Ri-Abnono ro rej ba bwe Noah Noah ej alab im Alexander Noah ej senior ri-jerbal ion Lokejbar weto. Raar ba ilo naan in kamol ko aer bwe Lokejbar weto ej imon ninnin jen jemeir, Bojan Noah, eo im Bojan ear bok jen jemen, Noah Ronol. Ri-Abnono rein rej bareinwot ba bwe mokta jen an kar Bojan jako, ear kommane juon kalimur eo im ej kajejtokjen kalimur eo ear kommane non Aqua. Ri-kamol ro an Ri-Abnono ro, einwot Ain Kabua, Lojan Todring, im Rosalie Aten Konou, ro im rej jen weto ko iturin Lokejbar weto, raar aolep ba ilo naan in kamol ko aer bwe ilo tore ko rej drik im rittolok ion weto ko aer raar lo an Bojan bed im jokwe ion Lokejbar weto, im eojok lok aolep iio non Irojlaplap ro an Lokejbar weto. Raar aolep ba bwe raar loe an Bojan kabjer maron im makitkit einwot alap im senior ri-jerbal ion Lokejbar ilo tore in mour ko an. Iakwelel eo an ri-abnono ro in bwe jen tore ko an Liolet, Bojan Noah im baamle eo an raar jokwe im jerbale bwidrej in, Lokejbar weto im jab Batle im Aqua.

Ri-Jumae Abnono ro rej ba bwe er eo rej kabjer maron ko an alab im senior ri-jerbal ilo tu-iar in Lokejbar weto. Rej ba bwe Bojan Noah ear kommane juon kalimur ilo January 18, 2002 im lelok 1.5246 acre in bwidrej eo ituiar in Lokejbar weto, ijo im O.C.F. International Co., LTD ear lease-i, einwot an walok ilo Defendants' Exhibit A. Kalimur in ej ba bwe maron ko an alap im senior ri-jerbal ilo bwidrej eo kenono kake ej etal non Aqua im ro nejin. Ri-Jumae Abnono rein raar bareinwot jakemaantak im kadrelon einwot kein kamol copy in (3) jilu check ko im kar kollaik im ukot lok non Tony Debrum kin jonan drettan in jonoul lalem tauujin tala (US\$15,000) total ak koba in aolep check non land lease eo an O.C.F. International Co., LTD,

ilo ejja jikin in wot ilo Lokejbar weto. Ekkar non naan in kamol ko an ri-kamol Aqua Patrick im Quincy Calep, Bojan Noah ear ajelok tu-iar in Lokejbar weto non Aqua non kwalok an kamolol e kin jouj eo an ilo an kar lale im kejbarok e im kora eo ippen ilo aerro kar bed im takto ilo Hawaii.

Ri-Jumae abnono ro rej ba ilo naan in jumae ko aer bwe emaron kar un eo bwe Bojan Noah en kommane ruo kalimur, iumin melim jen Leroj Atama Zedkaia ilo kalimur kein jimor, ej bwe kalimur eo kein kajuon im ear kommane ej non Aqua non tu-iar in Lokejbar weto wot, im eo kein karuo ej non ajiri ro nejin Bojan Noah non ijoko jet ilo Lokejbar weto en. Ri-Jumae Abnono rein rej bar einwot ba bwe ewor jidrik idrabortok in raan ko ilo kalimur eo kein karuo, eo im ej non ri-abnono rein, ikijien raan eo ear komman, einwot an walok ilo kein kamol an ri-abnono Plaintiff Exhibit P1. Kalimur eo kein karuo kar sign-i ilo February 2002, botaab rej kab file e ilo High Court eo ilo March 2003, innem file ippen Land Registration eo ilo March in 2015, jeppo wot allon mokta jen an jarjar lon tak case in.

Intervenor ak eo ear drelontok in bok kunaan ilo case in ej ba bwe Lokejbar weto kar imon bwij, im bwe lellap eo jibwin jibwin, Lijeri, ear kabjor maron eo an alab ilo Lokejbar weto, einwot an walok ilo menmenbwij eo an (Exhibit IA). Batle ear wonmanlok wot im bar ba bwe elkin Lijeri, title eo an alab ear etal non ajiri ro nejin, Kejon im Liolet, im bwe bwij eo ear lot einwot ke ear ejelok nejin ak kobban lojeen Liolet. Maron eo an alab ion Lokejbar weto ear wonmanlok wot im walalok iumin botoktok ippen Lokejon. Elkin Lokejon, ear etal maron eo non ro jatin, Libollan im Laninbit. Elkin Laninbit, ear etal maron eo non Rimond (Raymond) Latdrik, leo jein Intervenor Batle. Im elkin an jako Rimond, maron ko kio rej etal non Intervenor Batle. Batle ej bedbed e claim in an ion 1959 Land Determination eo an Majuro Atoll (Intervenor Exhibit IB), eo im ej kwalok bwe ilo 1959, Liolet ear kabjor maron eo an alab ilo

Lokejbar weto, im Noah ear kabjor maron eo an Senior Dri-Jerbal. Intervenor Batle ej ba ilo naan in iakwelel ko an bwe ri-abnono rein im ri-kamol ro aer rejjab jela Noah Ronol, lollap eo jemen Bojan Noah, ear bok jen ia maron eo an bwe en kar alap ilo Lokejbar weto. Batle ear ba ilo naan in kamol ko an make bwe ilo ak iturinlok 1970 e ear make lo kin mejen an Bojan Noah itok non ippen lollap eo jimaan, Anjo, im kajitok ippen elane emaron in jokwe tu-iar in Lokejbar weto. Ear bareinwot ba bwe Bojan ear juon dri-gerbal non lollap eo jimaan Anjo eo im ear alab in Lokejbar weto.

Irojlaplap Lein Patrick Zedkaia ear jab maron jedre ilo court non an kamol kin an kar naninmij ilo tore ne kar kir non an jedre botaab ear maron kwalok an naan ilo juon iien deposition eo kar karoke non bok naan in kamol ko an. Ekkar non Irojlaplap Zedkaia, ear ba bwe ej lor wot karok ko an ro imaanlok jen e kin aolep lease im kalimur ko kar kommani ikijien Lokejbar weto im bwe eban komman oktak non ta ko raar erra kaki ilo jeje ikijien Lokejbar weto.

#### **MANIT IM IMINENE KO REJELET CASE IN:**

1. **Imon Ninnin-** juon jikin ak bwidrej eo juon alab ak jeban bwij ak baamle eo ej lelok non ro nejin, ilo an wor melim im weppen jen Irojlaplap eo im ro jet ilo bwij ak baamle eo.

#### **KEIDI MANIT IBBEN MELELE KO REMOL:**

Elkin ronjake aoleb naan in kamol ko an ri-kamol ro an padre ko jilu ilo case in im etali pepa in kamol ko aer raar jaki maantak einwot kein kamol, panel in ej komman an jemlok einwot in bwe Lokejbar weto ear imon bwij im bwe tokelik, ear oktak non mon ninnin non Bojan Noah jen lollap eo jemen Noah Ronol. Einwot an walok ilo 1959 Land Determination eo an Majuro Atoll (Intervenor Exhibit IC), Liolet ear alab im Noah Ronol ear senior dri-gerbal non Lokejbar weto. Ej bareinwot alikkar jen kein kamol Plaintiffs' Exhibit P2, P3, P4, im P5 bwe Bojan Noah

ear kabjor maron ko an alab im senior ri-jerbal ilo Lokejbar weto im late Irojlaplap Amata Kabua, Leroj Atama Zedkaia, Irojlaplap Jurelang Zedkaia raar kile, ekoba Irojlaplap eo kio Lein Zedkaia. Kin menin, Court eo ej lo ke Noah Noah ej armej eo ekkar bwe on kabjor maron eo an alab ion aolepen Lokejbar weto en ijelokin wot ijo tu-iar. Emol bwe Bojan Noah ear kommane ruo an kalimur, juon non ajiri ro nejin non aer joleti maron ko an alab im senior ri-jerbal ilo Lokejbar weto im eo juon non Aqua Patrick im ro nejin ikijien maron ko an alab im senior ri-jerbal itu-iar in Lokejbar weto wot. Ilo eon eo kein kajuon ilo kalimur eo non ri-abnono rein, ej kwalok ke kalimur eo ear komman ilo July 10, 2001 botaab ej kab sign Leroj Atama Zedkaia im alab im senior ri-jerbal ilo ilo February 14, 2002, juon iio tokelik. Sign kein rekar jab notarize ak kamoli. Bar einwot, kalimur in an ri-abnono rein ear file ippen High Court eo ilo March 5, 2003 im kadrelon lok ippen Land Registration Authority eo ilo March 2015. Kalimur eo juon im an ri-jumae abnono ro ear komman ilo January 16, 2002, sign jen alab im senior ri-jerbal, Bojan Noah, err aim weppen jen ippen Leroj Atama Zedkaia, notarize im kamol sign ko ilo January 18, 2002, filed ippen High Court eo ilo January 20, 2002, im kadrelon ippen Land Registration Authority eo ilo April 27, 2005. Mene emaron in wor oktak ko ikotan kalimur kein ruo, ej alikar bwe kalimur in an ri-jumae abnono rein ear komman elkin kalimur eo an ri-abnono ak ajiri ro einwot an alikar ke ear komman ilo July 10, 2001. Ewor, bar einwot, kein kamol ko im rej kwalok ke ear wor kolla ko non Tony deBrum ikijien O.C.F. International Co., LTD non kajejtokjen im kajemlok kwon in lease eo aer. Wawein in ej kamol bwe Bojan Noah ear baj lomnak wot in lelok maron ko an alab im senior ri-jerbal ilo tu-iar in Lokejbar non Aqua Patrick im non ajiri ro nejin ejja maron kein wot ilo mottan ko jet ilo Lokejbar weto.

**RIKAMOL RO AN RI-ABNONO:**

1. Ain Kabua
2. Lojan Todring

3. Rosalie Aten Konou
4. Alex Noah
5. Noah Noah

**RIKAMOL RO AN RI-JUMAE ABNONO:**

1. Aqua Patrick
2. Quincy Calep

**RI-KAMOL RO AN INTERVENOR EO:**

1. Batle Latdrik

**KEIN KAMOL KO:**

**Kein kamol ko an ri-abnono:**

1. Exhibit P1-Kalimur eo an Bojan Noah (2/14/2002)
2. Exhibit P2-Land Lease an Kien ikijien Lokejbar weto (7/16/1986)
3. Exhibit P3-Land Lease an Kien ikijien Lokejbar weto (12/19/1997)
4. Exhibit P4-Land Lease an Koos Fishing ikijien Lokejbar weto (8/5/2005)
5. Exhibit P5-Land Lease an Kien ikijien Lokejbar weto (8/31/2011)
6. Exhibit P6-Irojlaplap Lein T. Zedkaia (11/9/2018)

**Kein kamol ko an ri-jumae abnono:**

1. Exhibit A-Kalimur eo an Bojan Noah (1/18/2002)
2. Exhibit B-Pepa in Mej eo an Bojan Noah
3. Exhibit C-Copy in receipt in kolla ko
  - a) CK#385, Check kollaik lok Tony debrum, \$5,000, 4/28/2003
  - b) CK#386, Check kollaik lok Tony deBrum, \$5,000, 5/12/2003
  - c) CK#387, Check kollaik lok Tony deBrum, \$5,000, 4/28/2003
4. Exhibit C-1 Naan jen Tony Debrum ikijien check ko

**Kein kamol ko an intervenor:**

1. Exhibit IA- Menmenbwij eo an Lijeri
2. Exhibit IB-Majuro Atoll 1959 Land Determination
3. Exhibit IC-Determination of Ownership and Release No. 138 (10/29/1954)

**MELELE KO JET PANEL EO EJ TOMAK ROKKAR NON WALOK:**


Ilo iien deposition eo non bok naan in kamol ko an Irojlaplap Lein Patrick Zedkaia ear kwalok melele in ke enej lor wot ta ko ro imaanlok jen e raar karoki im erra kaki.

Kwon ak land lease ko iben Kien eo im ijoko jet non maron kojerbal Lokejbar weto, (kein kamol an ri-abnono P2, P3, P4, im P5), rej kalikar bwe Irojlaplap ro aer Lokejbar weto, enwot Irojlaplap Amata Kabua, Leroj Atama Zedkaia, im tok alik Irojlaplap Jurelang Zedkaia, rar kile Bojan Noah enwot juon alab im senior dri jerbal non Lokejbar weto. Rar jab jumaik an alikar bwe enwot an Lokejbar weto juon imon ninnin non Bojan Noah, ear wor an maron non koman jabdrewot wawen ko ej karoki bwe rekkar ion Lokejbar weto. Ruo iaer ej ilo an kar komane juon an kalimur non ajri ro nejin kin maron ko an ion Lokejbar weto, im eo juon ilo an kar bar komane juon an kalimur non aje lak tu-iar in Lokejbar weto non Aqua im ro bwijin, ikijen an kar lale Bojan Noah im kora eo iben ilo aero kar ber im takto Hawaii. Im ej bar konaan eo an Iroj ro an Lokejbar weto in einwot an alikar ilo naan in ke-ean eo ear komman jen late Irojlaplap Jurelang Zedkaia ikijien wot tu-iar in Lokejbar weto. Wawein in ear kwalok ke ej kile kalimur eo an Bojan Noah non Aqua Patrick.

Dated: January 22, 2020



Acting Presiding Judge Grace Leban  
Traditional Rights Court



Associate Judge Nixon David  
Traditional Rights Court



Associate Pro Tem Judge Caios Lucky  
Traditional Rights Court