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ASSISTANT CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS

II. IAKWELEL KO IKOTAAN PARTY KO:

Ekkar non Riabnono Charles Domnick (“Charles”), ej ba bwe Rijumae Abnono Mercy Kramer (“Mercy”) ejako etan ilo menmenbwij eo an Capelle bamle, im ejab walok etan iben ro nejin Wilhelm im rej walok etaer ilo menmenbwij eo an Capelle bamle. Kin menin ejab jimwe im jejjot bwe en maron jolet maron ko ion bwidrej ko an Wilhelm ilo Likiep Atoll, ak jabdrewot menin jeramon ko im Wilhelm ear kajolete ro nejin im ear kokajririk er, enwot an alikar ilo kalimur eo an Wilhelm im ear komane ilo 1919 eo, ak kein kamol, Plaintiff Exhibit P-E. Ekkar non Charles, ejba bwe Mercy ejelok an koj ilo ajej ko jen tobrak in jermal in kakotan (business) nae etan Likiep Copra Plantation, eo im ej an Capelle im deBrum jimar. Ej bar ba bwe Rijumae Abnon eo ejab bar maron jijot ilo Imeo Imon Iroj (House of Iroj) enwot juon owner, enwot an ro bwijin Wilhelm maron rainin, im un eo ej bwe rejab jela kake ak Wilhelm ear jab kile, enwot an kile kokajriri ro nejin enwot Orlando Capelle, Carl Domnick, Emma Capelle im Salome Harris.

Rijumae Abnono Mercy, ej ba bwe e ej bwijin Capelle bamle ikijen lollap eo jemen, Hermon Nelson (“Hermon”), eo ej nejin Hannah Capelle (“Hannah”) eo im ej nejin Wilhelm, eo nejin Adolph Capelle. Mercy ej ba bwe lellap eo jinen jibun, nae etan Lydia Milne (Lydia”) ear neji iben Wilhelm im wor juon ledrik, ej lellap eo jibun, eo nae etan Hannah. Kin menin, ekkar non Mercy, ejimwe im jejjot bwe en bar joleti maron im men ko mweien Wilhelm, einwot ke lellap eo jibun, Hannah ej koban ak kanin lujen Wilhelm, im ejab kokajriri enwot ro jet. Ej bar ba bwe ebar einwot wor an maron non jijot ikijen ro bwijin Wilhelm, ak Capelle bamle ilo Imweo Imon Iroj.

III. KAJITOK KO KAR LETOK NON TRC PANEL EO BWE EN UAAKE:

Case in ear itok jen High Court eo non an TRC eo uaaki kajitok kein im rej elajrak ijin:

1. Ekkar non mantin Majol, bwidrej ak jikin rot kein an bamle kein an Capelle im deBrum ion Likep Atoll?
2. Jikin ak bwidrej kein an Capelle im deBrum rej maron ke loor wawen jolet ion bwidrej ekkar non mantin Majol elane ro im rar walok jen er im rej aer bwidrej kein ejab er riMajol ak rej rilikin ak rej itok jen bar jet lal?
3. Kein kamol ko ilo case file in, ak naan in kamol im kein kamol ko im rar kwaloki imaan Traditional Rights Court eo, rej ke kalikar ke Hannah Capelle ej juon ajri in likin worwor eo im nejinWilhelm Capelle im Lydia Milne?
4. Kalimur im Naan Ko Aliktata an George Eduard Capelle (at eo juon ej “Adolph Capelle”), eo im ear koman ilo December 2, 1904, ak Kalimur im Naan Ko Aliktata an Christian Wilhelm Capelle (at eo juon ej “Wilhelm Capelle”), eo im ear koman ilo June 12, 1919, rej ke jokin wot juon iben Manit im Iminene in Majol?
5. Elane uak eo non kajitok 3 ej “aet”, im elane uak eo non jabdrewot melele ko ilo kajitok 4 ej “aet”, inem ta eo ak mantin Majol ta eo jej kojerbale ilo an juon komane kalimur eo im jab dror etan ajri eo enoiki im ba kake ke ej nejin eo ej komane kalimur eo?
6. Elane uak eo non kajitok 3 ej “aet”, im elane uak eo non jabdrewot melele ko ilo kajitok 4 ej “aet”, inem ekkar non mantin Majol, ilo tore eo im ear koman kalimur eo an Adolph Capelle ak eo an Wilhelm Capelle, ewor ke oktak non jimwe im maron ko an ajri eo im ear lotak likin belele eo, ak jemen ear jab kwalok non nukun ko ke ej nejin, ilo an ejelok etan ilo kalimur eo kinke eo an kalimur eo ear karok bwe en ejelok etan, ak ro rar komani kalimur kein ejelok aer jela kake ajri eo?

7. Ikijen uak eo non kajitok 6, ekkar non mantin Majol, ta maron ko, elane ewor, an juon ajri eo ear lotak ilikin balele eo, ak ajri eo jemen ear jab kwaloke non bamle eo, elane ear baj jen karok wot bwe en ejelok etan ilo kalimur eo, ak kinke eo an kalimur eo ejaje kake ajri in?
8. Elane uak eo non kajitok 3 ej “aet”, ikijen uak ko non kajitok 5, 6, im 7, ewor ke kein kamol ko ilo rekoot, ak ko reber iben Traditional Rights Court, ko im remaron kalikar un eo bwe etan Hannah Capelle en jako jen Kalimur eo Alikata im Naan ko an Wilhelm Capelle?
9. Kein kamol ko im reber ilo rekoot ak reber iben Traditional Rights Court eo, non kwalok elane Carl Domnick, Emma Capelle Jordan, Orlando Capelle, im Salome Harris, ak kajojo iaer, ak juon wot iaer, Wilhelm Capelle ear kokajririki ekkar non Mantin Majol?
10. Elane uak eo non kajitok 9 ej “aet”, inem ekkar non Mantin Majol, elane ajri eo juon maan ak emaan ej kokajririki, ejimwe ke bwe ajri eo en kojerbal etan jemen eo ear kokajririki, ak ejimwe ke bwe ajri eo en kadrelon (register) etan ilo an kojerbal etan jemen eo im ear kokajririki?
11. Elane uak eo non kajitok 9 ej “aet”, iumin Mantin Majol, nat eo im ewi jonan an ajri eo kar kokajririki maron, keidi non ajri eo im ej lukun koban lujen?
12. Ewor ke juon manit ak iminene eo an riMajol eo im ej kemeleleik naan in “true children” einwot an naan in walok ilo Kalimur eo Alikata im Naan ko an George Eduard Adolph Capelle ijo emoj kakoleiki “*Karuo*”?
13. Ilo kilan kautej manit im wawen mour im iminene ko ad riMajol, juon eo kar kokajririki ej ke maron jijot ilo Council eo an Iroj jen jikin eo ej itok jene (District) im jijot enwot juon **Iroiylaplap**?

14. Ikotaan Charles T. Domnick im Mercy Kramer, im ro jet im rej kobalak ibeor ilo abnono kein aer, won eo ekkar bwe en jijot enwot juon ro uwaan Council eo an Iroj ekkar non Bujen Kwon eo Ikijen Ro Aer Likiep Atoll (Agreement Concerning the Joint Ownership of Likiep Atoll), eo im ear weppen jen bamle ko an Capelle im deBrum?

IV. MELELE KO IM UAAK KO REJ BEDBED IOER:

1. *Ekkar non mantin Majol, bwidrej ak jikin rot in an bamle kein an Capelle im deBrum ion Likiep Atoll?*

- Bwidrej ak jikin kein an bamle kein an Capelle im deBrum ion Likiep Atoll rej jet ko jej watoki rej jikin wia, ak Imon Wia. Rej imon aje ko im rar ajilak ilo kilaan wia kake.

Iumin Manit ewor wawen ko im juon Iroj ak Alap emaron in ajelok bwidrej ak ijko jikin, im juon iaer ej ikijen wia kake lak non bar juon. Ej kab wor wawen ajelok in ikijen wia kake tore eo ear jino drelon tok rilikin ro im rar jino wia jikior non komani jerbal ko aer ikijen kabun ak jerbal in kakotan (business) ko aer. (Tobin, 1956). Enwot an alikar ilo case in ilo melele ko an party kein rej jimor ba bwe Capelle im deBrum erro ear wiaki Likiep Atoll non kajutak jikin koman waini im jerbal in wia kake ko (business) aerro.

2. *Jikin ak bwidrej kein an Capelle im deBrum, rej ke loor wawen jolet ion bwidrej ekkar non mantin Majol elane ro im rar walok jen er im rej aer bwidrej kein ejab er riMajol ak rej rilikin ak rej itok jen bar jet lal?*

- Ilo jikin ak bwidrej kein an Capelle im deBrum, ewor oktak in wawen jolet maron ko jen ko jej iminene kaki, ekkar non mantin Majol. Kein kamol eo an

Rijumae Abnonoeo, Defendant Exhibit A, ak kalimur eo an Adolph Capelle (Adolph), ijelokin an lajrak in jolet wonlaltak ikijen nejin kora (bwij) ak nejin emaan (botoktok), kalimur in an Adolph ej lelok maron im kajolet kajojo ro nejin, ekoba kora eo iben im jinen ajri ro nejin, nae etan, Sophia Limenua.

Ekkar non melele kein ilo kein kamol Exhibit D-A, ak kalimur eo an Adolph, ej loor wawen jolet eo an lal ko ej itok jeni enwot juon rilikin. Ej lelok non kora eo karejeran, Sophia Limenua, im ro nejierro, im ebeben ko aer tok alik, jimwe im maron ko an ikijen men ko mweien, einwot imon jokwe ko an ion Likep Atoll, koj eo an jen jermal in kakotan (business) eo aero deBrum, im maron ko an ion bwidrej ko an ion Likiep Atoll. Ilo wawen in, Court in ej loe bwe Adolph ear komane kalimur in an ilo an ajeji jeramon im maron ko an bwe ren jokin wot juon ilo aer jolet. Keidi non mantin Majol, wawen jolet maron ko ion bwidrej ej berber wot ion ruo wawen ko. Ej etal maron eo non ro nejin kora ak *bwij* eo. Elane enaj lot bwij eo im maat kora, inem enaj etal non ro nejin emaan ak *botoktok* mae ien enaj bar wor juon kora, inem enaj bar rol lajrak in jolet eo non nejin kora ak *bwij*. (Kabua, 1993)

3. *Kein kamol ko ilo case file in, ak naan in kamol im kein kamol ko im rar kwaloki imaan Traditional Rights Court eo, rej ke kalikar bwe Hannah Capelle, eo ej juon ajri in likin balele, ej nejin Wilhelm Capelle im Lydia Milne?*

- Aet, ilo juon wawen, kein kamol ko ilo naan jen RiJumae Abnono eo, ko im raar walok imaan Traditional Rights Court eo rej kalikar bwe Hannah Capelle ej nejin Wilhelm im Lydia Milne ilikun balele. Ijo wot ke, ejelok juon pepa eo ej lukun kalikar ke ej nejin im koban lojen Wilhelm Capelle im Lydia Milne.

Ilo naan in kamol ko an Francis Teruo Reimers (“Francis”), eo ear kamol non Rijumae Abnono eo, ej ba bwe Mercy erro ej rilikin dron (cousins). Francis ear bareinwot ba bwe jinen, nae etan Adele Lupe Reimers eo ej nejin Godfrey im Neitaka Capelle, ear jiron lak bwe Hermon eo jemen Mercy, im ej jibun Bilhem ak at eo juon ej Wilhelm. Court in ear bareinwot ron jen rikamol Francis Jonni Capelle (“Jonni”) eo bwijin Adolph, eo ej nejin Eduard (Edward), im ear rikamol eo kein karuo (2nd) an Rijumae Abnono in. Ekkar non Jonni ear ba bwe ekka an ber ilo kwelok ko an Capelle bamle eo ej koman emen (4) katton ilo juon iio im ej loe ajri rein nejin Mercy ilo kwelok kein ilo Likiep. Jonni ej bareinwot ba bwe tore ko ej jonou (10) iio drettan, ekka an loe an Hermon, eo jemen Mercy, jerak lak non Likiep, im to lak jen tima eo waan im lo lak jemen Jonni, eo nae etan Weimer ak at eo juon ej Laturtur. Ej ba bwe ilo an kar kajitikin jemen ta kadjad eo an non Hermon, Laturtur ear uak Jonni im ba bwe erro ej juon wot ak ej nukun Hermon. Jonni ear bareinwot ba bwe ear ron jen lellap eo jibun, Emilia Capelle im jen Eduard, ak lollap eo edriklak jen jemen ak Laturtur.

4. *Mantin Majol ejelot ke ak emaron ke jerbal ilo Kalimur im Naan Ko Alikata an George Eduard Capelle (at eo juon ej “Adolph Capelle”), eo im ear koman ilo December 2, 1904, ak Kalimur im Naan Ko Alikata an Christian Wilhelm Capelle (at eo juon ej “Wilhelm Capelle”), eo im ear koman ilo June 12, 1919?*

- Ikijen Kalimur im Naan Ko Alikata an Adolph Capelle, eo im ej kein kamol an Rijumae Abnono eo, Defendant’s Exhibit D-A, Court in ej kile bwe Exhibit D-A ein juon lak jen wawen ko iumin mantin Majol ilo wawen jolet maron ion bwidrej, einwot an jako maron ko jilu ion bwidrej ak ej jerbal naan in “owner”ak eo ej “an” bwidrej ak ej jikin “eo kalimur kake”.

- Ikijen Kalimur im Naan Ko Alikтата an Wilhelm Capelle, ak Plaintiff's Exhibit E, Court in ej loe bwe ej jerbal mantin Majol. Un eo kinke ej alikar ilo an rikalimur in, Wilhelm Capelle, kwalok an watok rein emen (4) im ear kokajririki er rej *kanin lujen* ak enwot ne rej lukun koban lojen. Ilo wawen in ej maron kajolet er kin men ko mweien im maron ko an ion bwidrej ko an.

Court in ej loe bwe ej jerbal mantin Majol ilo wawen an kar Wilhelm watok kokajriri ro an ilo an kar kalimur kin men ko mweien im maron ko an non rein ear kokajririki er im watok er *kanin lujen*. Ilo wawen in Court ij ej kile bwe kokajriri rein an Wilhelm rej maron jolet enwot ke ear watok er *kanin lujen*, (*Jacob v. Hermoius & Kendall*, CA2008-221). Ilo case in, Court in ear kile bwe Wilfred Kendall ej maron jolet maron ion bwidrej ko an lollap eo ear kokajririki, Kendall. Wawen in ej berber wot ion melele ko rar walok jen rikamol ro ilo case in ke Kendall ear watok Wilfred bwe ej *kanin lujen* ak enwot ne ear koban lojen.

5. *Elane uak eo non kajitok 3 ej “aet”, im elane uak eo non jabdrewot melele ko ilo kajitok 4 ej “aet”, innem ta eo ak mantin Majol ta eo jej kojerbale ilo an juon kommane kalimur eo im jab dror etan ajri eo enoiki im ba kake ke ej nejin eo ej komane kalimur eo?*

- Ekkar non mantin Majol, ilo an juon eo ej komane juon an kalimur jab dror etan ajri eo enoiki im ba kake ke ej nejin, ej kalikar non nukon eo/ko bwe ejelok an jela kin ajri eo, ak emaron kar wor an jela kake ajri eo ak non kojbarok etan ak balele eo an, ejab dror etan ajri eo ilo kalimur eo.

Ekkar non manit, jemen ajri eo ej an eddo non kojelaik nukon ko im bamle eo ke ewor juon ajri in likin worwor non kojbarok jokane im aenoman eo ikotaan im nukon ko, bamle eo, im ajri eo.

6. *Elane uak eo non kajitok 3 ej “aet”, im elane uak eo non jabdrewot melele ko ilo kajitok 4 ej “aet”, innem ekkar non Mantin Majol, ilo tore eo im ear koman kalimur eo an Adolph Capelle ak eo an Wilhelm Capelle, ewor ke oktak non jimwe im maron ko an ajri eo im ear lotak likin belele eo, ak jemen ear jab kwalok non nukun ko ke ej nejün, ilo an ejelok etan ilo kalimur eo kinke eo an kalimur eo ear karok bwe en ejelok etan, ak ro rar komani kalimur kein ejelok aer jela kake ajri eo?*

- Ejelok oktak elane rein rar kommani kalimur kein, Adolph Capelle ak Wilhelm Capelle, rar ak rar jab jela kin ajri in ilo aer kommane kalimur kein jimor. Kin menin, ilo an ejelok etan ajri eo, jimwe im maron ko an rej loor wot an jako etan ajri in jen kalimur kein jimor. Ej aikuj wor karok jen ro rej maron rainin jen bamle kein jimor ikijen an ajri eo jolet.

7. *Ikijen uak eo non kajitok 6, ekkar non Mantin Majol, ta maron ko, elane ewor, an juon ajri eo ear lotak ilikin balele eo, ak ajri eo jemen ear jab kwaloke non bamle eo, elane ear baj jen karok wot bwe en ejelok etan ilo kalimur eo, ak kinke eo an kalimur eo ejaje kake ajri in?*

- Ilo an ejelok etan ajri in ilo kalimur kein jimor itok wot jen kar karok bwe en ejelok, ak itok wot jen an rein rar kalimur ejelok aer jela kin ajri in, Court in ej

kile bwe elon ro uwaan bamle in an Capelle rej kile ajri in einwot juon uwaan wot bamle in kin melele in bwe lellap eo jibun, Hannah ej nejin Wilhelm ilikin balele eo. Court in ej kile bwe ej jermal manit in, ‘botoktok ej kur botoktok’, im kin un in, Court in ejelok an maron in ba ke ajri in ejab nejin Wilhelm ak ejab uwaan Capelle bamle eo. Ijo wot ke, Court in ej bar kile kalimur kein jimar ilo an kar rein rar komani kalimur kein kar jab dror etan ajri eo. Kin menin, Court in ej tomak bwe ajri in, enwot an elon ro uwaan Capelle bamle kile bwe ej motaer, emaron in mona iben rein bwijin Wilhelm. Ijo wot ke, enwot an alikar ilo kalimur kein, ajri in ejab maron jolet maron kein an ri kalimur rein ilo aer kolajrak won ro ren jolet maron ko aer ion bwidrej kein aer, im bareinwot won ro ekkar bwe en wor aer koj ilo aje in tokjen jermal in kowainini ko an Capelle bamle ion Likiep Atoll.

8. Elane uak eo non kajitok 3 ej “aet”, ikijen uak ko non kajitok 5, 6, im 7, ewor ke kein kamol ko ilo rekoot, ak ko reber iben Traditional Rights Court, ko im remaron kalikar un eo bwe etan Hannah Capelle en jako jen Kalimur eo Aliktata im Naan ko an Wilhelm Capelle?

- Ilo an case in itok imaan Court in, ejelok un eo ear alikar non an court in melele ak jela etke ear jako etan Hannah Capelle jen Kalimur eo Aliktata im Naan Ko an Wilhelm Capelle. Ejabwe melele limantak non court in non an melele etke ear ejelok etan Hannah Capelle ilo Kalimur eo Aliitata im Naan ko an Wilhelm Capelle. Armij ro remaron kar kalikar un eo/ko emoji aer jako.

9. *Kein kamol ko im reber ilo rekoot ak reber ibben Traditional Rights Court eo, rej ke kalikar ak kwalok elane Carl Domnick, Emma Capelle Jordan, Orlando Capelle, im Salome Harris, ak kajojo iaer, ak juon wot iaer, Wilhelm Capelle ear kokajiriki ekkar non Mantin Majol?*

- Aet, naan im kein kamool ko an rikamool ro an Riabnono eo, rej kwalok bwe Wilhelm Capelle ear kokajiriki Carl Domnick, Emma Capelle Jordan, Orlando Capelle, im Salome Harris. Court in ej kile wawein an Wilhelm im kora eo ibben Miriam, kokajiri jen lowaan wot nukun kein aerro, im kokajiri jen ro mottaerro im rebake erro. Wilhelm im kora eo karejeran, Miriam, erro ear lale kokajiri rein aero einwot ne rej kanin lujerro. Ej alikar an Wilhelm kanuj kaurok kokajiri rein an ilo an kar dror etaer ilo kalimur in an im ej alikar ilo Plaintiff's Exhibit E. Wawein aero kar kokajiriki rein nejierro, jej maron watoke ejimwe im ekkar non mantin Majol.

10. *Elane uak eo non kajitok 9 ej "aet", innem ekkar non Mantin Majol, elane juon maan ak emaan ej kokajiriki juon ajri, ejimwe ke bwe ajri eo en kojerbal etan jemen eo ear kokajiriki, ak ejimwe ke bwe ajri eo en kadrelon (register) etan ilo an kojerbal etan jemen eo im ear kokajiriki?*

- Ilo mantin Majol, ajri eo ejjab aikuj bwe en kojerbal etan jemen eo ear kokajiriki. Ilo raan kein im ej drelontok wawein mour jen lal ko ilikin, ekka an lolo etan jemen eo ear kokajiriki ajri eo, elkin an eo ear kokajiri kajitok lak ibben Court bwe ren jitone bwe en juon jemen ro ej kokajiriki im watok er kanin lujen. Wawein in ejjab uwaan manit ak ej juon wawien eo ear komman elkin an drelon tok riballe im ear jino an armij komman aer pepa in

lotak eo im ej aikuj lolo tarlep en etan juon armij, ak etan im etan jemen ak at eo bamle eo ej kojerbale non kalikar won ro jemeor.

11. Elane uak eo non kajitok 9 ej “aet”, iumin Mantin Majol, naat eo im ewi jonan maron ko ibben ajri eo kar kokajririki, keidi non ajri eo im ej lukun koban lujen?

- Ekkar non mantin Majol, ajri eo im lukun koban lujen enaj jolet mokta jen ajri eo kokajririki. Ijelokin wot ne ear wor kalimur non ajri eo kokajririki ilo an wor kwon ibben ro uwaan bwij ak bamle eo, *Rilometo and Rilometo v. Kabua v. Botla and Moore*, CA2018-006. Ilo case in an *Rilometo and Rilometo v. Kabua v. Botla and Moore*, Court in ear bar erra bwe juon kokajriri emaron jolet elane emaat im lot bwij eo, im elane ear wor kalimur none bwe en maron jolet maron ion bwidrej eo. Kwon eo im emoj an ro uwaan bwij eo erra kake.

12. Ewor ke juon manit ak iminene eo an riMajol eo im ej kemeleleik naan in “true children” einwot an naan in walok ilo Kalimur eo Alikтата im Naan ko an George Eduard Adolph Capelle ijo emoj kakoleiki “Karuo”?

- Naan in balle in, “true children”, naj maron watoke ilo kajin Majol im iumin manit ej kanin lujen. Ekkar non ukok ne ilo kajin Majol, ekkar non an walok ilo Kalimur eo Alikтата im Naan ko an George Eduard Adolph Capelle, ak kein kamol Defendant’s Exhibit A, ej walok ijone oktan naan ne “true children” ej “ajri ro nejier”. Court in ej kile melelein in “ajri ro nejier” bwe ilo manit jej watok er kanin lujen ak koban lojen.

13. Ilo kilan kautej manit im wawen mour im iminene ko ad riMajol, juon eo kar kokajririki ej ke maron jijot ilo Council eo an Iroij jen jikin eo ej itok jene (District) im jijot einwot juon Iroiylaplap?

- Ekkar non manit, eo wot im ewor botoktok in Iroij ibben im emoj kile bwe en Iroiylaplap non Mojen eo, ak Mona eo, ekkar non lajrak in jolet ko aer, enaj maron jijot ilo Council eo an Iroij. Ijelokin wot aelon in Likiep rainin, eo ej jijot ilo Council eo an Iroij jej watoke ej juon “Owner”, im ejjab aikuj juon eo ewor botoktok in Iroij ibben.

14. Ikotaan Charles T. Domnick im Mercy Kramer, im ro jet im rej kobalak ibeor ilo abnono kein aer, won eo ekkar bwe en jijot enwot juon ro uwaan Council eo an Iroij ekkar non Bujen Kwon eo Ikijen Ro Aer Likiep Atoll (Agreement Concerning the Joint Ownership of Likiep Atoll), eo im ear weppen jen bamle ko an Capelle im deBrum?

- Court in ej kile melele ko jen rikamol ro an Rijjumaee Abnono ro ilo aer kwalok bwe Mercy Kramer ej jibun Hannah eo im ennoiki bwe ej nejin Wilhelm ilikin balele eo an. Court in ej bareinwot kile melele ko jen rikamol ro an Riabnono eo ilo aer kwalok melele ko bwe ejelok aer melele ke ear wor juon nejin Wilhelm ilikin balele eo an nae etan Hannah. Ijo wot ke, Court in ejjab maron ba bwe Hannah ejjab nejin Wilhelm berber ion manit in eo ej ba, *botoktok ej kur botoktok*. Rikamol rein im rej ba bwe Hannah ej nejin Wilhelm, ilo melele ko aer kajojo, rar kwalok bwe elon ro ilo ebeben ko re

ritto lak jen er im rar kwalok melele in bwe Hannah ej nejin Wilhelm ilikin balele ibben kora eo nae etan Lydia. Juon ian rikamol rein ej rikamol Francis Reimers, eo ear ba bwe lellap eo jinen, Lupe Reimers, eo im ej jen Capelle bamle ear jiron lak e bwe Hannah ej nejin Wilhelm. Kin menin, Court in ej lo bwe ilo an botoktok kur botoktok, mekar ta ne Wilhelm ear jab ba ilo naan ak ilo jeje ke Hannah ej kanin lujen, ak ro nukun Wilhelm im rej erra bwe Hannah ej nejin Wilhelm, rej maron ba melele in ilo an *botoktok kur botoktok*. Ijo wot ke, non an Court in ba won eo ejimwe im ekkar bwe en jijot ilo Coiuncil eo an Iroj, Court in ej kile kalimur kein ruo an Adolph Capelle im leo nejin Wilhelm Capelle, ak kein kamol Exhibit D-A im kein kamol Exhibit P-E, ilo an jako etan Hannah ilo kalimur kein aero jimor. Berber wot ion kile in, Court in ej lo bwe kalimur kein rejimwe im rejejjot bwe jen lori enwot aer bin bwe enjab jelet manit eo, **“kwojab kamakut dreka in jenme eo”**, ak jab ukot ta eo ro lak imaan emoj aer karoke ilo kalimur kein ruo.

Rikamol an Riabnono Eo:

1. Philomina Capelle deBrum
2. Karina deBrum Alvin
3. Lorna Betongtong
4. Vinci Clodumar
5. Charles T. Domnick

Rikamol an Rijumae Abnono Eo:

1. Francis Teruo Reimers
2. Jonni Capelle

3. Gabriel Capelle
4. David Kramer
5. Deborah Kramer

Kein Kamol an Riabnono Eo:

1. Plaintiff's Exhibit B - Genealogical Chart of Capelle Family
2. Plaintiff's Exhibit E – Will & Testament of Wilhem Capelle
3. Plaintiff's Exhibit G – Letter to Iroij Kotak Loeak, Chairman of Council of Iroij (12/24/2007)
4. Plaintiff's Exhibit G1 – Letter to Iroij Kotak Loeak, Chairman of Council of Iroij (12/24/07)
5. Plaintiff's Exhibit H – Letter to COI Chairman, Iroij Kotak Loeak (1/3/2008)
6. Plaintiff's Exhibit H1 – Letter to COI Chairman, Iroij Loeak/English Translation (1/3/08)
7. Plaintiff's Exhibit I – Letter to COI Chairman Loeak (01/11/08)
8. Plaintiff's Exhibit I1 – English translation of PI (01/11/08)
9. Plaintiff's Exhibit J – Letter to COI Chairman Loeak – re: Nomination of Melba (01/14/08)
10. Plaintiff's Exhibit K – Letter to COI Chairman Loeak – re: Jea eo an Capelle ilo COI (12/28/05)
11. Plaintiff's Exhibit L – Deposition of Theresa Capelle deBrum
12. Plaintiff's Exhibit M – Delayed Registration Birth Certificate of Hermon Nelson

Kein Kamol an Rijumae Abnono Eo:

1. Defendant's Exhibit A – Marshallese Translation of Last Will & Testament of George Eduard Adolph Capelle (December 1904)
2. Defendant's Exhibit B – English Translation of Exhibit D-A

3. Defendant's Exhibit C – Descendants and Heirs Report for Adolph Eduard Capelle Up to the 5th Generation
4. Defendant's Exhibit D – Outline Descendant Report for Christian Wilhelm "Billiam" Capelle
5. Defendant's Exhibit E – Ancestors and Descendants of Mercy Nelson Kramer
6. Defendant's Exhibit F – Certificate of Death for Hermon Capelle Nelson
7. Defendant's Exhibit H – An Article from the MIJ
8. Defendant's Exhibit K – Letter to COI Chairman Loeak (12/28/05)
9. Defendant's Exhibit K(1) – English Translation of Exhibit D-K

MANIT IM IMINENE KO REJELET CASE IN:

1. *Kajiriri – Juon ajri eo bok jen lowan wot bwij eo ak ilikin bwij eo im lale jen ke ear lotak tok, ak ilo tore eo eritto, im watoke bwe ej koban lujen eo ear boke.*
2. *Kanin lujen – Juon eo watoke bwe ej koban lojen ak ej lukun nejin.*
3. *Kalimur – Wawen ko rej kalikar lajrak in jolet. Emaron ilo naan ak bareinwot ilo jeje.*
4. *Wia kake – Juon ian wawen aje lak bwidrej ko, im ear jino walok ilo ailin kein elkin an kar rilikin ro itok im kabok jikior non kajutak jerbal in kakotan ak wawen ko jet.*
5. *Ajri in likin worwor – Juon eo im ear jab lotak im ritolak ilowan worwor eo ak kabijuknen eo an bamle.*
6. *Botoktok ej kur botoktok – Juon mantin kakolkol elane juon ej uwaan juon bamle. Einwot juon ajri eo ear lotak likun worwor ak tok alik rej lale ilo an ikutkuti tok bamle eo ak armij ro nukun.*
7. *Jab komakut dreka in jenme – Jab kojekdon ak ukot karok eo emoj kar karoke jen etto.*

KEIDI MANIT IBEN MELELE KO REMOL:

Ej alikar ilo naan in kamol ko an rikamol rein jimor an Riabnono eo im Rijumae abnono eo bwe ear wor an Wilhelm *kokajriri*, ro im ej bareinwot walok etaer ilo menmenbwij eo an Riabno eo, ak Plaintiff Exhibit B. im ilo pepa in kamol ko. Ej bareinwot walok ilo kalimur eo an Wilhelm, ak Plaintiff's Exhibit E.

Ilo an ejelok kar nejin Wilhelm im Miriam, Court in ej loe bwe erro ear kokajriri jen lowan wot bamle keini aero im bareinwot jen ro motaerro im ro rebake erro. Wilhelm ear watok kokajriri rein an bwe rej jet ro ej watok er *kanin lujen*, ak lukun in nejin ak koban lujen.

Ewor ruo *kalimur* ko ilo case in. Juon ej an Adolph, ak Defendant's Exhibit A, eo im ear koman ilo 1904 eo, im eo juon ej an Wilhelm, ak Plaintiff's Exhibit E, eo im ear koman ilo 1919 eo, ekkar non melele ko ilo naan in kojemlok ko an Riabnono eo. Ilo *kalimur* kein jimor, Court in ej loe bwe ear ejelok etan Hannah, eo im Rijumae Abnono eo ej ba bwe ej jibwin, enwot ke ej jinen lollap eo jemen, nae etan Hermon. Im bwe Hannah ej nejin Wilhelm im Lydia, ekkar non melele ko an Rijumae Abnono eo.

Ekkar non melele ko ilo case in, Adolph Capelle im Anton deBrum, erro ear wiaki Likiep Atoll jen Iroj ro aer Likiep ilo tore ko. Ilo wawen in, Iroj ro rar aje lak Likiep ilo kilan *wia kake*, im ear maron jutak jermal in kakotan eo an Capelle im deBrum, ikijen waini, ion Likiep Atoll.

Ilo an ejelok etan Hannah ilo menmenbwij eo an Riabnono eo, ak Plaintiff's Exhibit B, im ilo an ejelok etan Hannah ilo kalimur ko jimor an Adolph im Wilhem, Court in ej watok bwe Hannah ej juon ajri in likin worwor, ak juon eo ear jab ritolak *ilowan worwor* ak kabijuknen eo an Wilhelm im bamle eo an.

Court in ej kile melele ko an rikamol rein an Riabnono eo ilo aer ba bwe ejelok aer melele bwe Hanna ej nejin Wilhelm. Court in ej bar kile kein kamol ko, enwot menmenbwij eo im kalimur ko an Adolph im Wilhelm ilo an ejelok etan Hannah enwot juon eo ej jolet men ko mweierro ak maron ko ilo bwidrej ko aero. Ijo wot ke, Court in ejab maron ba bwe Hannah ejab nejin Wilhelm enwot an bar wor ro rar kamol, enwot rikamol ro an Rijumae Abnono eo, bwe rar ron jen ro lak mokta jen er bwe Hannah ej nejin Wilhelm. Wawen in ej kwalok bwe emaron wor an ro lak imaan kar boklikit bwe Hannah ej nejin Wilhelm, enwot an *botoktok kur botoktok*, ak juon manit eo kojerbale elane ajri eo ej ekkeini lak uwaan bamle ko ennoiki ke ejbar uwaan, einwot ilo melele ko an rikamol Francis Reimers ba kin an Hermon ikutkut i lak leo eritto lak jene, Julian Reimers.

Aliktata, manit eo ekajur im Court in ej watoke, ej *jab komakut dreka in jinme eo*. Court in ej kile kalimur kein ruo an ro aer maron kein im menin jeramon kein einwot aer walok ilo case in. Ilo an jako etan Hannah ak ro bwijin ilo kalimur kein ruo an Adolph im Wilhelm, Court in ej

kile aurok eo non drebij wot kalimur kein enwot ke ej jemlok ko kein jen rikalimur rein, Adolph im Wilhem.

NAAN IN KOJEMLOK:

Berber ion aoleb kein kamol kein im rar jadre imaan Court, ilo naan im ilo jeje, Court in ej kile bwe ejab maron ba bwe Hannah ejab nejin Wilhelm. Court in ej bar kile bwe ilo an ejelok etan Hannah ilo kalimur kein jimor an Adolph im Wilehlm, inem enaj komakut dreka in jinme eo elane enaj ba bwe ejimwe bwe Mercy en bok maron ko an Capelle ilo Imweo Imon Iroj, enwot an walok bwe ear ejelok kalimur non lellap eo jibun, Hannah.

Ijo wot ke Court in ej loe aurok eo non drebij aao eo an mantin lale dron im jela nae dron im ej kotmene eo an in bwe rein ilo case in renaj lale dron im jela nae dron enwot ke rej juon wot.

Raan: 12 Sept. 2025



Grace L. Leban
Presiding Judge, TRC



Nixon David
Associate Judge, TRC



Claire T. Loeak
Associate Judge, TRC