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**ASSISTANT CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS**

IN THE TRADITIONAL RIGHTS COURT
REPUBLIC OF THE MARSHALL ISLANDS

MAJURO ATOLL

JENIS TEN,)	Civil Action 2022-02153
)	
plaintiff,)	
)	
v.)	LEMNAK IM UAK EO/KO AN
)	TRADITIONAL RIGHTS COURT EO
LANNY KABUA, ROSELIN PAUL and)	
TIBET PHILLIP,)	
)	
defendants.)	
_____)	

RO UAAN PANEL EO	:	Grace L. Leban Presiding Judge, TRC
		Nixon David Associate Judge, TRC
		Jasper Lanki Associate Pro Tem Judge, TRC
JIKIN RONJAKE EO	:	Ebeye Courthouse Ebeye, Kwajalein Atoll Marshall Islands
RAAN IN RONJAKE EO/KO	:	May 14-16, 2024

KOMELELE KO :

Ilo October 18, 2023 eo, High Court eo ear letok kajitok ko rejelet manit ikijen case in non an Traditional Rights Court eo uaki. Kajitok kein rej jebar jen abnono ko ikijen maron ko an Alab im Senior Dri Jerbal ion ruatimjuon (9) weto ko ilo Nimur Island, Kwajalein Atoll. Wetu kein

kenono kaki rej i) Bietto, ii) Bikomman, iii) Ejel, iv) Enugarret, v) Kabinene, vi) Monkanal, vii) Monkolej, viii) Monkono, im ix) Tuakloken.

Party kein ruo rej jimor erra bwe weto kein 9 ion Nimur Island rej ber iumin Mojen eo an Irojlaplap Laelan, ak eo rainin ej Neimat Catherine Reimers (Neimat). Rej bar jimor erra bwe weto kein 9 ion Nimur Island rej imon bwij jen Liodrik, jen jowi Riloboran, laltak non Abija, im alkin Abija ear lot bwij eo. Armij rein ilo party kein ruo rej juon wot im rej jimor jebar jen Lieodrik (see Plaintiff's Exhibit A/Defendant's Exhibit 7).

IAKWELEL KO IKOTAAN PARTY KO:

Melele ko walok jen naan in kamol im kein kamol ko an riabnono Jenis Ten (Jenis), ej ba bwe e eo ejejot im ejimwe bwe en kabjor maron ko jimor an Alab im Senior Dri Jerbal ion weto kein 9, ion Nimur Island, Kwajalein Atoll. Ekkar non riabnono eo, ej ba bwe alkin an jako Abija, im ilo tore eo ej lot bwij eo, ear etal maron an Alab non ro nejin botoktok, im ilo tore eo ej Eodrik Sam (Eodrik), im ej nejin Ikirtok, im eo ear kabjor maron an Senior Dri Jerbal ear Donald, nejin Nilep (see Plaintiff's Exhibit A).

Ear bareinwot ba bwe ejab jimwe im jejjot bwe maron eo an Alab en etal non Roslin rainin, enwot ke ej nejin kora eo Larok, eo im ejab bwij enwot ke ej toor in botoktok ak ej nejin maan eo, Lemto. Kin menin Larok ejab jidrak in bwij bwe ej nejin emaan. Kin melele in, maron eo an Alab ej etal wot ilo ial in botoktok eo ej itok jen bwij eo eritto, ak bwijin Lijokane, im jen Lijokane ej walok Ikirtok im Nilep, ekkar non Plaintiff's Exhibit A. Riabnono eo ejba bwe alkin an jako leo jein, Donald ilo 2015 eo (see Plaintiff's Exhibit C), eo im ear kabjor maron eo an Senior Dri Jerbal ilo tore eo Eokdrik Sam ej juon Alap, inem ejimwe bwe maron eo an Senior Dri Jerbal en etal non riabnono eo. Riabnono eo ej barenwot ba bwe ejab jimwe im jejjot, ekkar

non mantin Majol, ilo an kar Lanny Kabua (Lanny), eo ej manmaronron non Neimat, bok maron eo an Senior Dri Jerbal jen riabnono eo, im lelok non leo edriklok, Tibet Phillip(Tibet), ilo melele in ke riabnono eo ear *tomewa*, botab ejelok un ko relab non an ba ke riabnono eo ear *tomewa*.

Ilo naan im kein kamol ko an rijumae abnono ro, rejba bwe Roslin ej e eo ejimwe im jejjot bwe en kabjor maron an Alap ion weto kein 9 ion Nimur Island, Kwajalein Atoll. Riabnono rein rejba bwe Abija, jen jowi Riloberan, ear e eo aliktata ilo bwijin Liodrik, im ear kabjor maron an Alab im alkin e ear lot bwij eo. Kin menin, ekkar non manit, ear bar rol maron eo non Irojlaplap eo non an kelet won ej an Alap non weto kein 9 ilo Nimur Island. Irojlaplap Kabua Kabua ear wonmanlok wot im kelet Larok, eo im ear ijino juon bwij kaal iben, im rainin maron eo an Alab eber iben Roslin im maan eo jatun, Albert. Rijumae abnono rein rej ba bwe bwij eo eritto im rainin rej ro nejin Ikirtok im Nilep, rej toor in botoktok, im rej kabjor maron an Senior Dri Jerbal im jab maron eo an Alab ion weto kein 9 ion Nimur Island, Kwajalein Atoll. Ijo wot ke, ekkar non rijumae abnono rein, maron eo an Senior Dri Jerbal eo im ear ber iben Jenis Ten, emoj an Irojlaplap eo bok maron in jene im lelok non maan eo jatun, Tibet Phillip (Tibet), itok wot jen an kar riabnono Ten kar *tomewa*, ak kile bar juon an make Irojlaplap im jab kile Neimat einwot juon eo ej Irojlaplap non weto kein 9 ion Nimur Island, Kwajalein Atoll rainin.

KAJJITOK KO KAR LETOK NAN TRC PANEL EO BWE EN UAAKE:

1. Ikotaan riabnono eo im rijumae abnono Roslin Paul im rein rej kobalak ilo abnono ko, won eo ejimwe, iumin mantin Majol, bwe en kabjor maron im eddo ko an Alab ion weto kein ion Nimur Island, Kwajalein Atoll, Republic eo an Marshall Islands: (i) Bietto, (ii) Bikomon, (iii) Ejel, (iv) Ennugarret, (v) Kabinene, (vi) Monkanal, (vii) Monkolej,

(viii) Monkono, im (ix) Tuakloken (“weto ko”).

2. Ikotaan riabnono eo im rijumaer abnono Tibet Phillip, im ro rej kobalok ilo abnono ko, won eo ejimwe im ekkar, iumin mantin Majol, bwe en kabjor maron ko an senior dri jermal ion weto kein kolajraki ilon.
3. Ewor ke juon manit ilo Majol in im rej nae etan “*Tomewa*”? Im elane aet, ewi wawen an manit in “*Tomewa*” jermal?
4. Riabnono eo ear ke “*Tomewa*”? Elane aet, inem ejimwe ke an rijumae abnono Lanny Kabua (Lanny) kar kajej tokjen ak kabojrak maron eo an senior dri jermal, ekkar non mantin Majol? Ak ej aikuj ke kar etal ien non an riabnono eo jeorlok an bwod mokta jen aer bok maron in senior dri jermal jene?
5. Elane riabnono eo ear jab kojekdron manit eo, inem ej ke juon menin aikuj bwe rijumae abnono Lanny en aikuj kemarone im kile bwe ej juon Alab non weto kein?

UAAK NON KAJITOK EO:

1. Roslin Paul
2. Tibet Phillip
3. Aet, *tomewa* ej juon mantin ailin kein ad. Tarinae ko etto ikotaan Iroj ro, elane juon ritarinae ej oktak buruon im loor jarin tarinae eo ear jumaiki, inem rej watoke bwe ej *tomewa* einwot ke emoj an etal jen jarin tarinae eo ear uwaan non eo juon. Wawen in ej juon ian un ko rellap im remaron komanbwe Iroj eo en jolok maron ko an ritarinae eo ej *tomewa* ion bwidrej. Ukot tok non raan kein, ejako tarinae ko etto ak kio Iroj ro rej jumaik dron ilo jikin ekajet ko ikijen maron ko aer ion bwidrej.

4. Aet, riabnono eo, Jenis , ilo an kar kile Lajan Kabua (Lajan) bwe en komarone einwot juon Alab im Senior Dri Jerbal ion weto kein ilo case in, bwe ej juon an Irojlaplap, ilo tore in im Neimat ej kabjer maron eo an Irojlaplap ilo mojen eo im erro jimor, Lajan im Neimat, rej itok jene, jej maron watoke bwe ear *tomewa*, einwot an wor juon case eber kio ikotaan Iroj rein nae dron. Ewor an rijumae abnono Lanny , eo ej man maronron non Neimat, maron ilo an kar jolok maron ko an Jenis ion bwidrej ilo an watok ke ear *tomewa*. Ijo wot ke, riabnono eo emaron kar etal iben Iroj rein an im kajitok jouj im meanwod eo an Iroj eo an non jeorlok bod in emoj watoke nae e, enwot ke Iroj im jela.
5. Aet, elane ear ejelok notaan ak ruon riabnono eo iben Iroj rein an, enaj kar aikuj wot bwe rijumae abnono Lanny en kile im kemarone enwot juon Alab non weto kein kenono kaki.

MELELE KO IM UAAK IN EJ BEDBED IOER:

Alkin an kar panel eo etale aoleb kein kamol ko rar jadre imaan court in, ekoba aoleb melele ko jen rikamol ro jen party kein ruo, ear etale abnono in an riabnono eo ikijen maron ko jimor an Alab im Senior Dri Jerbal ion weto kein 9 ilo Nimur Island, Kwajalein Atoll, ko im rej an Mojen eo an Laelan.

Ikijen an riabnono eo ba bwe ejimwe im jejjot bwe en e eo ej kabjor maron eo an Alab rainin ilo weto kein 9 ion Nimur Island, panel in ear etale aoleb un ko an Ten. Ekkar non lajrak ko ilo menmenbwij eo an Liodrik, jowi Riloberan, rein remour rainin im rej bwijin Lieodrik, rej jebar jen kora ro ruo nejin Liodrik ak rej bwijin Liodrik rainin. Bwij eo eritto ej walok jen kora eo eritto etan Lijokane, im bwij eo edrik ej walok jen kora eo edriklak etan Neibarbar (See Plaintiff's Exhibit A). Lajrak in jolet, ekkar non menmenbwij in an Liodrik ear wonlaltak mae tore eo an Abija, ear lot bwij eo an Lieodrik einwot ke ear jako mokta lok Ikirtok eo ej nejin

bwij, im Nilep, eo ej bareinwot nejin bwij. Kin menin ear etal maron eo an Alab non ro nejin emaan ak botoktok, im eo emour ilo tore eo ej Larok, kora eo nejin Lemto, eo ej wuleben Abija, Ikirtok, im Nilep. Larok ej toor in botoktok jen Lemto, im ejimwe an kar Nelu im tok alik, Neimat kile bwe Larok ej botoktok im jab bwij, ijo wot ke, ekkar non manit, kinke Larok ej juon kora, inem ejidrak juon bwij kaal iben im koman bwe ro nejin ren maron jolet maron an Alab ion weto kein 9 ion Nimur Island, kinke rej nejin kora, ak bwij. (Kabua, 1993)

Alkin an Larok im ro jatun jako, ear bar rol maron eo an Alab non bwij enwot an jidrak juon bwij kaal iben Larok. Kin menin, ear etal maron eo an Alab non ro nejin Larok, im eo imantata ej Eodrik Sam. Wawen in jemaron kamole ilo an kar Eodrik Sam sign enwot juon Alab ilo LUA eo(see Plaintiff's Exhibit B), im ilo an kar Irojlaplap eo an Mojen eo an Laelan kar kile ilo 5/25/18, eo im man maronron Lanny ear sign ikijeor (see Plaintiff's Exhibit G).

Panel in ej kile bwe ejimwe im jejjot bwe maron eo an Alab en kar etal non Eodrik Sam, einwot ke ej nejin bwij eo ear jidrak iben jinen, Larok. eo erito nejin Larok, ekkar non menmenbwij in an bamle in im ekkar non manit. Alkin Eodrik Sam, inem ejimwe im jejjot bwe maron eo an Alab en etal non eo edriklok jen Eodrik im nejin Larok, ej Roslin.

Panel in ear bar etale abnono eo an riabnono ikijen an kar rijumae abnono Lanny , eo emoj an Neimat kar jiton bwe en an man maronron ilo Mojen in an Laelan (see Defendant's Exhibit 8), kar bok maron eo an Senior Dri Jerbal jen riabnono eo im lelok non maan eo jatun, Tibet, kin melele in ke riabnono ear *tomewa*, ekkar non manit. Panel in ej kile bwe ejimwe bwe riabnono eo en jolete maron eo an Senior Dri Jerbal non weto kein 9 ion Nimur Island, Kwajalein Atoll, einwot ke ej nejin maan ak botoktok eo.

Ilo melele ko an riabnono eo, ej ba bwe ejabwe im ejelok un ko rellab non an rijumae abnono

Lanny maron kar bok maron eo an Senior Dri Jerbal jen riabnono eo Ej bareinwot ba bwe ilo an ejelok an kotmene im jela, Iroj Lajan Kabua ear komane paper in non kile im komaron e, Ten, bwe ej juon Senior Dri Jerbal non weto kein 9 ilo Nimur Island (see Plaintiff's Exhibit H/Defendant's Exhibit 1).

MANIT IM IMINENE KO REJELET CASE IN:

1. *Tomewa* – Etto, ilo kajin waan ejerakrok ko, elane juon ej etal jen wa eo ear iuwe ie im kaik ak iuwe lak ilo bar juon wa. Ilo kajin tarinae ko etto an Iroj ro, elane juon kajur ej etal jen jarin tarinae eo an Iroj eo an im kobalok iben bar juon jarin tarinae, inem naj watok emakit in an kajur eo ak ritarinae eo bwe ej *tomewa_ilo* an etal jen jarin tarinae eo ear ber im uwaan non bar juon jarin tarinae.
2. *Elot bwij eo* – Ilo an juon bwij maat im ejelok kora ro ie, ak ejelok nejin kora, inem jej nae etan bwij eo, elot, im ej oktak lajrak in jolet maron jen nejin kora, ak bwij, non nejin maan, ak botoktok.
3. *Jidrak in bwij* – Alkin an lot juon bwij, maron eo an Alab ej etal jen nejin kora (bwij), non nejin maan (botoktok). Tore eo ej walok juon kora, jej watoke bwe e jidrak juon bwij kaal eo im enaj bar rollak lajrak in jolet maron eo an Alab non ro nejin kora eo.

KEIDI MANIT IBEN MELELE KO REMOL:

Panel in ej kile bwe ilo an kar Lajan komane paper in kile im komaron riabnono eo bwe ej Alab im Senior Dri Jerbal, im ilo an alikar ilo paper in ke Lajan ear sign enwot juon Irojlaplap non Mojen eo an Laelan, ej juon un eo ekoman bwe Neimat, eo ej kabjor maron eo an Irojlaplap ilo

Mojen eo an Laelan ilo tore in, en maron watoke paper in ej juon wawen eo ej kalikar an riabnono eo *tomewa*.

Party kein rej jimor erra bwe ear *lot bwij eo* an Lieodrik iben Abija enwot ke e wot nejin Likili, ak emoj an jako Ikirtok eo nejin Lijibke, im Nilep, eo nejin Larok.

Alkin an lot bwij eo, maron eo an Alab ear etal non ro nejin maan, im eo eber lo tore eo ej Larok im ro jatun enwot ke rej nejin Lemto, Alab eo an Abija, Ikirtok, im Nilep. Ijo wot ke ear wor juon nejin Lemto kora, eo ej Larok. Kin menin maron eo an Alab ear bar oktak jen botoktok non bwij ilo an jidrak juon bwij ekaal iben Larok. Ro nejin Larok rej lajrak non jolete maron an Alab jen jineor, Larok.

Rikamol an Riabnono Eo:

1. Meto Pam
2. Loibwij Kabua
3. Kimo Ten

Rikamol an Rijumae Abnono:

1. Alvin Jacklick
2. Lanny Kabua
3. Wilson Note

Kein Kamol an Riabnono:

1. Plaintiff's Exhibit A – Genealogy of Liodrik
2. Plaintiff's Exhibit B – LUA

3. Plaintiff's Exhibit C – Certificate of Death for Donald Phillip (9/28/15)
4. Plaintiff's Exhibit D – Designation of Succession Interest (9/30/15)
5. Plaintiff's Exhibit E – Determination of Land Rights (5/25/18)
6. Plaintiff's Exhibit F – Certificate of Death for Eodrik Sam (9/24/20)
7. Plaintiff's Exhibit G – Recognition and Approval By Irojlaplap (8/20/21)
8. Plaintiff's Exhibit H- Irojlaplap Recognition & Approval (4/21/21)

Kein Kamol an Rijumae Abnono:

1. Defendant Exhibit 1 - Irojlaplap Recognition & Approval (4/21/21)
2. Defendant's Exhibit 2 – Letter to the Attorney General Richard Hickson (5/29/21)
3. Defendant's Exhibit 3 - Revocation of Designation of Successor in Interest (6/12/21)
4. Defendant's Exhibit 4 – Letter from the Attorney General to the Secretary of Finance (6/16/21)
5. Defendant's Exhibit 5 – Letter from Lanny Kabua to the Attorney General (8/20/21)
6. Defendant 'sExhibit 6 – Memo from the Attorney General to the Secretary of Finance ((8/20/21)
7. Defendant's Exhibit 7 - Genealogy of Liodrik – Jowi Rilobaren
8. Defendant's Exhibit 8 – Special Power of Attorney by Leroij Neimat Reimers (4/28/14)

WawenKo Jet Panel In Ej Loi Bwe Rekkar Nan Aer Walok:

Panel in ej tomak bwe aurok elane Irojlaplap eo im kajur ro droon ren jela ainikien dron im kile im kautej dron ilo iakwe. Einwot ke manit eo jej jenolok kake jen etto non rainin ej ad jela nae dron im kautej dron. Kin menin, Panel eo ej tomak elane ear wor notaan riabnono eo, iben Iroj

ro an, ej juon bunten eo aurok im ekajur elane enaj bukotlak Iroj rein an, ijelokin an call ak jeje lak im karreoiki iben Iroj rein. Wawen in Panel in ej tomak enaj koman bwe Iroj rein im kajur rein droer ren iben dron im jela nae dron im kautej dron, enwot ekkar non manit.

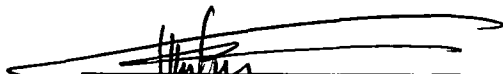
Raan: September 3, 2024



Grace L. Leban
Presiding Judge, TRC



Nixon David
Associate Judge, TRC



Jasper Lanki
Associate Pro-Tem Judge, TRC