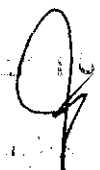


IN THE TRADITIONAL RIGHTS COURT  
OF THE  
REPUBLIC OF THE MARSHALL ISLANDS

BOB MELERAN JACOB, )  
 )  
 Plaintiff(s), )  
 )  
 VS. )  
 )  
 REMIOS HERMIOS AND )  
 WILFRED KENDALL, )  
 )  
 Defendant(s). )

CIVIL ACTION CASE NO. 2008-221

OPINION AND ANSWER ON ADDED QUESTIONS

FILED  
  
WALTER K. ELBON, CHIEF JUDGE  
REPUBLIC OF THE MARSHALL ISLANDS

MEMBERS OF COURT PANEL:  
WALTER K. ELBON, CHIEF JUDGE  
NIXON DAVID, ASSOCIATE JUDGE  
GRACE LEBAN, ASSOCIATE JUDGE

The added questions put before the TRC Panel were:

1. DID THE TRC PANEL TAKE INTO CONSIDERATION PLAINTIFF EXHIBIT D?
2. IS WILFRED KENDALL ADOPTED OR IS HE A NATURAL CHILD OF KENDAL LOKON?
3. WHO IS THE PROPER PERSON BETWEEN BOB MELERAN JACOB AND WILFRED KENDALL TO HOLD THE ALAP TITLE ON THE WETOS ON WOTJE AND ERKUP ATOLLS AS LISTED IN THIS CASE?

The current TRC Panel, after reconsidering its Opinion and Answer for the Complaint on High Court Civil Action 2008-221, further concur that Wilfred Kendall is the proper person to hold the Alab title on the wetos on Wotje and Erkup Atolls as listed in the Complaint on this case.

**BRIEF STATEMENT OF REASONING ON WHICH OPINION AND ANSWER IS BASED:**  
The Court Panel did not consider the WILL made on May 10, 1986 due to lack of information on it during the testimonies. If the Court Panel had considered Plaintiff Exhibit D to have greater weight than the other documents presented as evidence, it would have only confirmed that Wilfred Kendall is *Kanin Lojeo* (considered to be from own womb) of Kendall Lojen. As stated in Plaintiff Exhibit D, the words are spelled out, *Kanin Lojeo*. *Kanin Lojeo* adoption is different from *Kokajiriri* as described in *Amon vs. Makroro*, and *Loeak vs. Loeak*. It is also different from the *Kokajiriri* that Tobin talks about. Therefore,

the Court Panel did not answered whether or not it had considered the Plaintiff Exhibit D, the reason being it was not discussed enough and because the Defense Counsel did not show any objections to it.

The current TRC Panel affirms that there was not enough evidence presented by the Bob Meleran Jacob to prove that Wilfred Kendall is a mere *Kokajiriri* of Kendall Lojen. The Court Panel only knows that Wilfred Kendall is the son of Kendall Lojen. According to the Menmenbwij (Genealogy Chart), Wilfred Kendall is the proper person to replace the last Alab. The Court Panel also agrees that Wilfred Kendall must take care of the needs of Bob Meleran Jacob and siblings, because he is their last surviving father as stated by Irojlaplap Remios Hermios on Defendant Exhibit A, it is proper that he (Wilfred Kendall) be the Alab for them (Meleran Jacob and other) at this time. The time for the Defendant to lead and look after the family is forthcoming.

Dated: \_\_\_\_\_

\_\_\_\_\_/s/  
Walter K. Elbon  
Presiding Judge of the Panel  
Traditional Rights Court

\_\_\_\_\_/s/  
Nixon David  
Associate Judge  
Traditional Rights Court

\_\_\_\_\_/s/  
Grace Leban  
Associate Judge  
Traditional Rights Court