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**ASST. CLERK OF COURTS  
REPUBLIC OF THE MARSHALL ISLANDS**

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

ISABELLA SILK and ALFRED CAPELLE, )  
 )  
 Plaintiffs, )  
 )  
 )  
 )  
 )  
 VS. )  
 )  
 )  
 ARINE JORTAK and MONEO OGAWA, )  
 )  
 )  
 Defendants )  
 )  
 )  
 \_\_\_\_\_ )

CIVIL ACTION NO. 2009-191

UAAK IM KOMELELE KO/OPINION

RO UAAN TRC PANEL EO:

WALTER K. ELBON, PRESIDING JUDGE

LANINBO FRANK, PRO TEM JUDGE

GRACE LEBAN, ASSOCIATE JUDGE

RAN IN RONJAKE: September 22 im 24, 2015 kab Oct. 5, 2015

JIKIN RONJAKE: MAJURO COURTHOUSE

**KAJJITOK KO KAR LITOK NAN TRC IKKIJEN CASE IN:**

1. Won eo ekkar im jimwe bwe en kabijor maron eo an **alab** ilo **Watuwelon Weto**, Jabo Island, Arno Atoll?
2. Won eo ekkar im jimwe bwe en kabijor maron eo an **senior Dri-Jerbal** ilo **Watuwelon Weto**, Jabo Island, Arno Atoll?

**UAAK EO NAN KAJITOK NO. 1: ISABEL SILK**

**UAAK EO NAN KAJITOK NO. 2: MONEO OGAWA**

**NAAN IN KEMELELE:**

**Case in ear ejaak im jino itok wot jen boktak eo ikkijen won eo ej alab im won eo ej Dri Jerbal (Senior Dri Jerbal) nan Watuwelon Wetu, Jabo Island, Arno Atoll, Marshall Islands.**

**Dri Abnono ro, Isabel Silk, ej ba e eo ej Alab, im Alfred Capelle, eo ej ba e eo ej Dri Jerbal im, Dri Jumae Abnono, Arine Jortak ear jako ak mej mokta jen an kar komman ien ronjake eo an case in. Moneo Ogawa ear wonmanlok wot im ba ke ej kabijor maron ko jimor an Alab im Dri Jerbal rainin ilo wetu in kenono kake.**

**UN IN KENONO KO:**

**Ilo an kar panel eo an TRC eo ronjake nan in kamol ko im etali kein kamol ko me kar jaki mantak im panel eo ear buki einwot kein kamol ear loe im kile bwe ejimwe im jejet bwe Isabel Silk en e eo im ej kabijor maron an Alab nan Watuwelon Wetu ilo Jabo Island, Arno Atoll.**

**Party kein jimor ewor aer menmenbwij ko me rar jakimantak einwot kein kamol, ijowotke reotak jen dron. Ear ejjelok jumae jen party kein jimor ikkijen menmenbwij kein. Ilo menmenbwij eo an defendant ej jino jen Juion im ej walok iloan menmenbwij in ke Juion ej kora eo jatin Aelonin im Juion ear kokajiririki Obetea. Ilo menmenbwij in an defendant ejjab walok etan Aelonin im elane ear bar wor ro jet jatin kora ak emaan. Ilo menmenbwij eo an plaintiff ro ej jino jen Luwojwa im jilu ian ro nejin im rej elaaajak lo menmenbwij eo an plaintiff ro rej, Laelonin ak Aelonin, Likojene, kora im Laieb emaan. Ilo menmenbwij in ejjab walok etan Juion. Ej walok wot etan Laieb im eo nejin ej Obetea. Bareinwot ilo menmenbwij in an plaintiff ro ej alikar bwe Likojene, kora eo im ej make wot nejin Luwojwa. Ro nejin Likojene rej, Margaret ak Maggie kora im Herman emaan. Im ro nejin Margaret rej Laturtur im Isabel. Menmenbwij in ej kalikar bwe ejimwe im jejet bwe Isabel eo en kar kabijor maron eo an alab rainin ilo Watuwelon Wetu, Jabo Island Arno Atoll.**

**Defendant exhibit B, Declaration eo im Leiroij Lantimur ear sign e, ejjab kalikar ta un eo etke ej kile Moneo Ogawa einwot alab nan Watuwelon Wetu. Bareinwot, ejjab kenono kin Dri Abnono ro. Declaration in ej walok wot ilo kajin balle im kwalok wot bwe Leiroij Langtimur ej kile Moneo Ogawa bwe e eo ej alab eo an Watuwelon Wetu im ejjab kenono kin Arine Jortak, tore eo ear mour wot, einwot juon alab. Ilo kajimwe in uaak (amended answer) eo an Dri Jumae Abnono ro im ear file ilo January 21, 2013 ej kwalok bwe Arine Jortak ej Alab im Moneo Ogawa ej Senior Dri Jerbal. Defendant exhibit C, Land Use Agreement eo Moneo Ogawa ear sign einwot alab im rijerbal nan Watuwelon Wetu. Land Use Agreement in ear**

sign ilo January 9, 2012. Plaintiff ro rar file e abnono eo aer ilo September 02, 2009. Defendant Exhibit B eo me ej ikkijen "Aje Lok Maron" im ri kowebbene ear Irojil Rilang Tarkiem, panel eo an TRC ear loe bwe ejjelok kitien kalimur in kinke Rilang Tarkeim ejjanin kar bok maron einwot Irojilaplap ilo tore ne ear sign. Lale Opinion eo an TRC eo ilo High Court Civil Action No. 2005-127 & 2007-217 consolidated.

Mr. Biti Lake, juon ian rikamol ro an an defendant eo, eo im ebar wor jikin ak an weto ilo Jabo Island ilo Arno Atoll, ilo nan in kamol eo an ear bar bwe ejela kajjien party kein jimor. Ilo nan in kamol ko an ear ba bwe plaintiff im family ko aer ewor juon aer weto ilo Jabo Island im etan weto in ej Ratnil Wetu. Nan in kamol kein an Mr. Biti Lake rej kalikar ke plaintiff rein ewor jikier ilo Jabo Island, Arno Atoll.

Plaintiff Exhibit B "Arno Ownership" 1959 Land Determination, ej kwalok bwe Herman, emaan nejin Likojene im Laturtur Capelle, emaan nejin Margaret, kora eo nejin Likojene, rej alab im rijerbal nan Ratnil Wetu im Wetuwelon weto ilo Jabo Island, Arno Atoll. Nan in kamol ko an Mr. Biti Lake im kab Arno Ownership 1959 Land Determination rej kamol bwe plaintiff ro ewor jikieor ilo Jabo Island, Arno Atoll. Im einwot ilo case in abnono eo ej ikijen wot Wetuwelon Wetu, Panel eo an TRC eo me ear ronjake case ej kile bwe ejimwe im jejet bwe Isabel Silk ej e eo ejimwe im jejet bwe en alab nan Wetuwelon Wetu, Jabo Island, Arno Atoll.

Plaintiff ro rej bareinwot kile bwe Obetea einwot juon eo ej bed ilo line in botoktok eo jen Laieb, ejimwe im jejet bwe Moneo Ogawa, lieo jibun en kabijor maron an Dri Jerbal (senior dri jerbal) ilo Wetuwelon Wetu.

Kin menin panel eo an TRC eo im ear ronjake case in im etale kein kamol ko ej kile bwe ejimwe im jejet bwe Isabel Silk en e eo im ej kabijor maron eo einwot alab im Moneo Ogawa en kabijor maron eo an Dri Jerbal (Senior Dri Jerbal) nan Wetuwelon Wetu, Jabo Island, Arno Atoll, Marshall Islands.

**ETAN DRI KAMOL RO AN DRI ABNONO:**

1. Alfred Capelle

**ETAN DRI KAMOL RO AN DRI JUMAE ABNONO:**

- 1 Moneo Ogawa
- 2 Biti Lake
- 3 Leonla Jortak
- 4 Haruo Ogawa

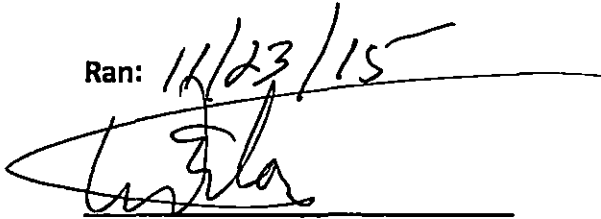
**KEIN KAMOL KO:**

1. Plaintiff Exhibit A, Menmenbwij
2. Plaintiff Exhibit B, Arno Ownership 1959 Land Determination
3. Defendant Exhibit A, Menmenbwij
4. Defendant Exhibit B, Declaration Leiroij Langtimur kar sign
5. Defendant Exhibit C, Land Use Agreement
6. Defendant Exhibit B, Aje Lok Maron

**WAWEN KO JET IM TRC PANEL EO EJ TOMAK BWE REJ AIKUJ WALOK:**

Ilo menmenbwij eo an Plaintiff ro ej kwalok bwe defendant Ogawa ej lajrak lal tak jen Luwojwa. Im ej walok ilo menmenbwij in bwe Laieb, emaan nejin Luwojwa eo im edrik jen Aelonin ak Laelonin, emaan im Likojene, kora bar nejin Luwojwa. Menmenbwij in an Plaintiff ej kalikar bwe Laieb ej botoktok eo an bwij eo im maron eo an dri Jerbal ak senior ejimwe bwe en etal nan Moneo Ogawa. Mr. Alfred Capelle eo im ej claim I maron eo an senior dri jermal ilo case in ej monono in kile Moneo Ogawa einwot senior dri jermal im jab kile e einwot alab nan Wetuwelon Weto, Jabo Island, Arno Atoll.

Ran: 11/23/15



Walter K. Elbon  
Presiding Chief Judge, TRC



Laninbo Frank  
Pro-Tem Judge,



Grace Leban, Associate Judge