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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

EMILE AINI,)
)
Plaintiff,)
)
-VS-)
)
TENSON BENJAMIN, ET AL.,)
)
Defendants.)
_____)

CIVIL ACTION NO. 2012-228

UAAK IM KOMELELE KO

RO UAAAN TRC PANEL EO:

GRACE LEBAN, PRESIDING JUDGE

NIXON DAVID, JUDGE

RISI GRAHAM, JUDGE

RAN IN RONJAKE: OCTOBER 13-16, 2015

JIKIN RINJAKE: MAJURO COURTHOUSE

KAJITOK KO KAR LETOK NAN TRC EO IKKIEN CASE IN:

1. RI ABNONO EMILE AINE EJ KE E EO IM EKKAR BWE EN KABJER MARON EO AN ALAB?
UAAK EO – Aet, Emile Aine ej e eo im ekkar bwe en kabjer maron eo an Alab ion
Wojenetao Weto, Woja Island, Majuro Atoll.
2. A. MARON TA EO AN RI JUMAE ABNONO EO ION WOJENETAO WETO?
UAAK EO – Ri jumae abnono eo, Tenson Benjamin, ej kabjer maron an dri jermal ion
Wojenetao Weto.

B. KIN MARON IN, ELANE EWOR, EKKAR K BWE RI JUMAE ABNONO IN EN EKAL IMON BAMLE EO AN ION WOJENETAO WETO, ELANE EJELOK MELIM JEN IROIJ, ALAB, IM/AK SENIOR DRI JERBAL RO ION WETO IN KENONO KAKE?

UAAK EO – Aet, ilo an kebaak im kojelaik Iroj, Alab, kab Senior Dri Jerbal eo ion weto in kenono kake.

3. ELANE EWOR AN JUON ARMIJ MARON ION BWIDREJ, ALAB EO EMARON KE KEMAKUTI JEN BWIDEJ EO IM EWOR AN MARON ION ELANE JEN IEN NON IEN EJAB KAUTEJ ALAB EO?

UAAK EO – Aet, elane ewor un ko relab im rekkar im rejelet Maniit eo.

NAN IN KEMELELE:

Case in ear ejaak ilo tore eo ri jumae abnono Tenson Benjamin ear kalek imon jokwe eo an bamle eo an ion Wojenetao Weto ilo Woja Island, Majuro Atoll. Ri abnono Emile Aini ear koman an abnono ilo an ba bwe ri jumae abnono Benjamin ear jab kebaak e ikijen an kalek imwin imon im ear bar ba bwe Benjamin ejab kautej e einwot juon an Alab ion Wojenetao Weto.

Ekkar non kar naan in kamool ko an rijumae abnono Benjamin, ear ba imaan Court in ke ear jab kebaak Emile Aini ak ear kebaak leo edriklok jene, Ronnie Smart, einwot juon maan-maronron im ededelok aero kar Iroj Alden Nemna sign im kemelim an ekal einwot an walok ilo Defendant's Exhibit A.

Alkin an kar Court in etale kein kamool im bareinwot naan in kamool ko ilo case in, ear erra bwe ekkar im jejjot bwe Emile Aine en e eo ej kabjer maron eo an Alab ion Wojenetao Weto ilo Woja Island, Majuro Atoll. Ej alikar ilo jemlok eo ilo Civil Action No. 1990-14, Anari vs. David (Plaintiff Exhibit C) bwe maron ko jimor an Alab im Senior Dri Jerbal ion Wojenetao Weto rar etal non Berta Anari, eo im Emile Aine ej kio bok jikin alkin Jumos, leo edrik jen Bertha im eritto jen Emile.

Court in ej bar kile bwe Tenson Benjamin ewor an maron ion Wojenetao Wetu einwot ke ej jebar jen botoktok iumin Taruk, ekkar non Menmenbwij eo an bamle in (Defendant Exhibit A). Court in ej bar kabinlak lemnak in alkin an kar ronjake naan in kamol ko an Alab Emile Aini ilo kar Deposition eo an, bok ilo October 14, 2015, ilo an ba bwe Tenson Benjamin ewor an maron ion Wojenetao Wetu einwot juon dri jermal. Ijo wot ke, Court in ej kile bwe ekkar non Mani Tenson Benjamin ej aikuj kar kojelaik Alab eo an Wojenetao Wetu kin an ekal imon em, im bwe ej aikuj kautej Alab eo an im Alab eo en bareinwot lale im kojbarok Benjamin einwot ke ej bareinwot nejin Im an dri jermal.

Ej Mani jolet jen ro lak imaan bwe jen lale dron im jela nae dron bwe en maron wor aenoman ilowaan juon bwij. Ro uwaan bwij eo ren jela nae Iroj, Alab, im Senior Dri Jermal eo im rein jilu ren bareinwot jela nae ro driktakior im kanuj kojbarok er im lale aikuj ko aer. Ilo wawen jej kojbarok Mani kein ad im rej ad jolet.

ETAN DRI KAMOL RO AN RI ABNONO EO:

1. Emila Zedkeia
2. Zed Zedkeia
3. Tabwi Aini
4. Rosana Wena
5. Eojim Mella

ETAN DRI KAMOL RO AN DRI JUMAE ABNONO EO:

1. Tenson Benjamin
2. Lisen Leit

KEIN KAMOL KO AN RI ABNONO EO:

1. PLAINTIFF EXHIBIT A – GENERAL POWER OF ATTORNEY (12/22/08)
2. PLAINTIFF EXHIBIT B – MAJURO LAND DETERMINATION (1958)
3. PLAINTIFF EXHIBIT C – FAMILY MENMENBWIJ (DEF. EXHIBIT 3)
4. PLAINTIFF EXHIBIT D – DEED OF SALES (OCTOBER 1995)

5. PLAINTIFF EXHIBIT E – MARRIAGE CERTIFICATE (8/27/1989)
6. PLAINTIFF EXHIBIT F – GENERAL POWER OF ATTORNEY (02/18/14)

KEIN KAMOL AN RI JUMAE ABNONO EO:

1. DEFENDANT EXHIBIT A – AUTHORITY TO CONSTRUCT
2. DEFENDANT EXHIBIT B – LETTER OF TIRIA (3/12/79)
3. DEFENDANT EXHIBIT C – KALIMUR OF EMILE AINI (10/25/1993)

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

Ri jumae abnono Benjamin ear ba bwe ear kebaak Iroj Alden Nemna im Maan maronron Ronnie Smart non an kar maron in kalek imweo imon ion Wojenetao Weto. Court in ej lo bwe mekarta Ronnie Smart ej juon maan maronron non kora in jein ak erro ej aikuj kar kebaak e einwot juon aero Alab ilo tore in. Ikijen signature eo an Iroj Alden Nemna, ear jabwe melele einwot an kar jab Nemna maron jedre imaan Court mekarta ear jeblak tok jen an kar jako jen ailin kein ilo ien ronjake in. Court in ear bar loe bwe ejab maron dror an liki ion letter in an Litiria (Defendant Exhibit B) enwot an walok 'Emila Z' ak ejanin kar oktak last name eo an Emila einwot ke ear marre jet alkin 1979 eo.


Raan: 03104116



Grace L. Leban
Presiding Judge



Nixon David, Judge



Risi Graham, Judge