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CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS

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

LANGMOUR, et al., Plaintiffs, v. JILEJ and SAMSON, Defendants, v. HEINE, Intervenor.	CIVIL ACTION NO. 2017 - 024 OPINION OF THE TRADITIONAL RIGHTS COURT
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MEMBERS OF THE PANEL: Grace L. Leban
Presiding Judge

Nixon David
Associate Judge

Jasper Lanki
Pro Tem Associate Judge

PLACE OF HEARING: Majuro Courthouse
Uliga, Majuro Atoll
Marshall Islands

DATE OF HEARING: February 20-22, 2018; February 20, 27-28, 2024; March 21-22, 2024

PROCEDURAL & FACTUAL BACKGROUND:

This case was referred to the Traditional Rights Court from the High Court on June 15, 2017 to answer questions involving the customary law and traditional rights of the Marshall Islands. This case is CA 2017-024, between Plaintiff Trusilla Langmour v. Defendant Lazarus Tiberke and Billong Bollong v. Intervenor Susan Heine. The dispute involves the rights and titles of Alap and Senior Dri Jerbal on Eonmaj weto in Darrit Village, Majuro Atoll, Marshall Islands. This

case came in two parts, and a trial to address the two issues did not occur at the same time as after the hearings that addressed the Alap rights and title in 2018, it took some time after the passing of a few of the parties in this case, and coupled with it being referred back to the High Court for substitution of parties that died, as required under the procedural rules of the court. Also, a third party intervened, or the intervenor, joined the case on the issue involving the rights and title of Senior Dri Jerbal. Then came the pandemic, COVID-19, which also prevented the case from moving forward for an extended period of time. The case was finally referred back to the Traditional Rights Court to proceed to trial on the submissions of the three (3) parties regarding the rights and title of Senior Dri Jerbal on February 20, 2024, in relation to Eonmaj Weto in Darrit Village, Majuro Atoll, Marshall Islands.

PARTIES' CONTENTIONS:

According to the Plaintiffs, Trusilla Langmour and Jebto Saul, they claim that Trusilla Langmour is the proper person to hold and exercise the rights and title of Alap and that Jebto Saul, is the proper person to hold and exercise the Senior Dri Jerbal on Eonmaj weto, Darrit Village, Majuro Atoll. As per their contentions, the Plaintiffs aver they are the rightful heirs based on the fact that Eonmaj weto is the *imon bwij* of Lijebto, as shown in the Plaintiffs' Exhibits 1 and 2 or the genealogy of Lijebto. They also claim that Trusilla is the eldest living member of the *bwij* today, and therefore ought to hold and exercise the rights and title of Alap on Eonmaj weto at this time. They also argue that in relation to the Senior Dri Jerbal, it was proper for Elizabeth, a child of Lazarus to hold and exercise the rights and title of Senior Dri Jerbal, and after her passing, having no younger brother, the bloodline ended and became extinct with her and the Dri Jerbal succession line should now revert back to the male heirs of the *bwij* who is Saul, with the establishment of a new bloodline by his children. At this time, according to the Plaintiffs, they

argue it ought to Jebto Saul who is the only surviving child of Saul. For this reason, it is proper for her to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto today.

The Defendant contends that Eonmaj weto, in Darrit, Majuro Atoll, is a *Eomelan*, and exclusively belongs to the Iroj, and the discretion is with the Iroj to designate the Alap or Dri Jerbal on his *Eomelan*. According to the Defendant, the parties in this case, the previous Iroj for many years, brought them to be caretakers and to reside on Eonmaj weto, as shown in Defendant's Exhibit D-2. As asserted by the Defendant, the Plaintiffs are from the *jowi* of *Raarno* from Aur Atoll. At the time of their arrival from Aur, the Iroj of Eonmaj weto, designated the eldest from among them, Lazarus, to be the first Alap for Eonmaj weto. And that after Lazarus, those who inherited the rights and title of Alap since then on Eonmaj weto have been from the *jowi* of *Raarno*. The Defendant further argues, this is the same case for the succession line of those who held and exercise the rights and title of Dri Jerbal, as they are from the *jowi* of Rilotobo from Maloelap. And that the first *Rilotobo* to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto was Liwaika. The rights and title was also assigned to Liwaika from Iroj Moses at the time. And as contended by the Defendant, the proper person to currently hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto is Kiar Lemari, who is the grandchild of Liwaika. Kiar Lemari is the proper person today to hold and exercise the rights and title of Senior Dri Jerbal as per the designation by Leroij Takbar Ishiguro on July 12, 2021, as show in Defendant's Exhibit D-7, and the proper person to receive the Senior Dri Jerbal share from the government's lease payments for the use of Rita Elementary School (RES).

The Intervenor Susan Heine joined this case, disputing the Plaintiffs and Defendant's claims and argue that she is the proper person today to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto, Darrit, Majuro Atoll. The Intervenor argues and claims that Eonmaj is the *imon bwij* of Lazarus Simon. However Lazarus, the Intervenor's grandfather, gifted the rights and title of Senior Dri Jerbal to his wife, Liwaika, as a *kitdre* to her. And that at the time, the *bwij* agreed with the *kitdre* from Lazarus to his wife, Liwaika. The Intervenor also claims that the Irojij at the time, Lanjen, who held the Irojiedrik title, also agreed with the *kitdre* from Lazarus to Liwaika. The Intervenor also argue that according to Marshallese custom, the descendants of the original *kitdre* recipient, or Liwaika, are the proper persons to inherit the rights and title of Senior Dri Jerbal, which was *kitdre* to Liwaika, and not the siblings of Liwaika, only her descendants.

QUESTIONS REFERRED FOR THE TRC PANEL TO ANSWER:

1. As between Plaintiff Trusilla Langmour and Defendant Lazarus Tiberke, and those claiming through them, who is, according to the customary law and traditional practice of the Marshall Islands, the proper person to hold and exercise the rights and title of alap on Eonmaj Weto, in Darrit Village, Majuro Atoll, Marshall Islands?
2. As between Defendant Jebto Saul, Defendant Kiar Lemari, and Intervenor Susan Heine, who is the proper person to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj Weto, Darrit Village, Majuro Atoll, Marshall Islands, according to the customary law and traditional practice of the Marshall Islands?

ANSWERS TO THE QUESTIONS:

1. Trusilla Langmour
2. Susan Heine

FACTUAL FINDINGS UPON WHICH OPINION IS BASED:

The last TRC Panel that adjudicated this matter reviewed the documentary and testimonial evidence relating to the Alap and Senior Dri Jerbal on Eonmaj weto, Darrit, Majuro Atoll. The Plaintiffs' witnesses testified that Eonmaj is an *imon bwij*, as illustrated in their submission of Plaintiff's Exhibit P-1, which depicts the genealogy chart of the *bwij* of Lijebto, *jowi Raarno*. And according to P-1, Lijebto bore two daughters, Libarto im Lukuuj. Libarto had only one daughter named Liezkela and Lukuuj also had only one son, Lazarus. And from Liezkela came five (5) daughters, Neimoj, Likojene, Likinem, Libaraj and Wilmina, and one son named Saul. From Lazarus came Elizabeth, mother of Item who is the elder sister of Susan, the eldest living descendant of Elizabeth today. The Panel also reviewed the Plaintiffs' evidence, Plaintiff's Exhibit P2, a copy of a page from the Land Determination of Majuro Atoll from 1958. According to P2, in relation to Eonmaj weto in 1958, the Iroj was Lanjen, the Alap was Neimoj and Rjeral was Liwaika. In the Plaintiffs' submission, Plaintiffs' Exhibit P-4, the Lease Agreement of Majuro Baptist Church in 1977, the signatories were, Iroj Mo Jitiam, Alap Saul Letton, and Senior Dri Jerbal Liwaika Jeto. In 1982, a Lease Agreement with the DUD Municipal Council was executed by the signatories, Iroj Mo Jitiam, Lobel Langmour for Alap Neimoj Letton, and Item Andrike for the Senior Dri Jerbal Rina Aikuij. Plaintiffs' Exhibit p-7, an agreement between the landowners of Eonmaj weto and Majuro Atoll Local Government in 1995 shows the signatures of Leroij Chihaya Anmonta, Bokedikdik Lang as Alap and Item Andrike as Dri Jerbal. The Lease Agreement that was executed on March 25, 2002, and the one made in January 23, 2006, between the landowners of Eonmaj weto and Majuro Baptist Church, Plaintiffs' Exhibit P-10, the signatories include Leroij Takbar Ishiguro, Alap Bokedikdik Lang and Dri Jerbal Item Andrike. Another agreement that was executed, or a Lease Agreement

between the land owners of Eonmaj weto and the government for use of Rita Elementary School in June 11, 2011 shows the signatures of Leroij Takbar Ishiguro, Alap Lazarus Tiberke and Senior Dri Jerbal Item Andrike.

With respect to the Senior Dri Jerbal title, the testimony of the Plaintiffs attested to the extinction of the bloodline with Elizabeth because she had no son. For this reason, they argue that the rights and tile of Senior Dri Jerbal ought to revert back to the bloodline of the reigning *bwij*, who is Saul, and upon his passing, should pass on to his only surviving child, Jebto Saul Muller, as illustrated in Plaintiff Exhibit P-1.

According to the Defendants' claims, Eonmaj, as to Ralik, is a *Eomelan*, or as in Ratak, is a *Kotra*, or that Eonmaj is exclusively a Iroij land and that the Iroij has the discretionary power to designate who is to be an Alap or Rijerbal. For this reason, Leroij Takbar Ishiguro accordingly designated John H. Nelson to be the holder of both the Alap and Dri Jerbal rights and titles on Eonmaj weto, Darrit, Majuro Atoll on November 1, 2004 as shown in Defendant's Exhibit D-16. In October 16, 2016, Leroij Takbar signed a document granting power of attorney rights to Lazarus Tiberke to act in her stead on any matters relating Leroij Ishiguro on Eonmaj weto according to Marshallese customary law and traditional practice. During the trial on the matter of Alap in February 22, 2018, in their opening statement, the Defendants alleged that Iroij Moses brought with him two women from Aur, Lijebto and Likuuj, of the *jowi* of *Raarno*, and another one from Maloelap, Nemu, from the *jowi Rilotobo*, to be caretakers on Eonmaj weto.

Subsequently, Iroij Moses assigned the rights and title of Alap to the *Raarno*, Lijebto and Likuuj, and assigned the rights and title of Rijerbal to the *Rilotobo*, Nemu for them to be the holders of the Alap and Rijerbal on Eonmaj weto. It was further alleged that after a few years, in 1958, the

Land Determination of Majuro was produced and Leroij Lanjen designated Neimoj, to be Alap and Liwaika, to be the Dri Jerbal on Eonmaj weto.

The Defendants, in their opening statement on February 22, 2018, alleged the reason the rights and title of Alap cannot pass on to Trusilla is because of the three occasions on which she would have been divested thereof or cut off by *bwilok*. The first *bwilok* relates to the Defendant's Exhibit D-15, a genealogy chart that was generated by Lazarus Simon. Exhibit D-15 shows the name of Likinem was placed below the name of Baraj which was written at the top, even though Likinem was older than Baraj as shown in the genealogy of the descendants of Ezkela, to clearly show that Likinem was cut off. In the Defendants' assertions, they claim the second *bwilok* occurred because of the incestuous relationship between Likinem and her younger brother, Saul. And the third *bwilok* occurred because Trusilla and Edlynn refused to acknowledge Takbar as their Leroij on Eonmaj weto, and to respect her according to custom, and to pay tribute "*ekkan*" to her, and because they permit burials without consulting Leroij Takbar.

With respect to the rights and title of Senior Dri Jerbal, in their closing arguments, the Defendants also assert that it is proper for Kiar Lemari to hold and exercise the Senior Dri Jerbal and not Jebto Saul Muller and Susan Heine. According to the Defendants, it is clear from the Land Determination of 1958 that Liwaika was a Senior Dri Jerbal at that time, and for twenty years as shown in Plaintiffs' Exhibit P-4. They also assert that after Liwaika it went down to her younger sisters, Rina and Meria as shown in Plaintiffs' Exhibit P-7, showing Rina's name as a Senior Dri Jerbal and Item signed for her. They also claim that as show in Defendant's Exhibit D-31, a check from the Majuro Atoll Local Government payable to Meria as the recipient of the Senior Dri Jerbal share of the lease payments for RES in 1990. According to the Plaintiffs, after Meria the rights and title of Senior Dri Jerbal passed on to Elizabeth and afterwards on to Billon

Bollon. These claims alleged in the closing arguments of the Defendants argue that when Billon Bollon lived and worked in Kwajalein, the rights and title was assigned to Item in place of Billon, but that upon Billon's return, Leroij Takbar reverted the rights and title of Senior Dri Jerbal back to Billon until he passed way. In this regard, Kiar Lemari is the proper person to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto today.

The testimonial and documentary evidence asserted by the intervenor in this case, Intervenor Susan Heine, aver she is the proper person to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj weto today as before the Land Determination of Majuro was generated, her grandfather, Lazarus Simon gifted the rights and title of Dri Jerbal to his wife, Liwaika, as a *kitdre*, with no objections from the *bwij*, and authorization from Leroij Lanjen, who was the Irojedrik on Eonmaj at the time.

ANALYSIS:

After reviewing the documentary and testimonial evidence from the parties, the TRC Panel unanimously agreed to its opinion and answer to this case. In reviewing the Plaintiffs' evidence, P-1 and P-2, the genealogy of Lijebto and thereafter the evidence in P-3 and P-4, the Land Determination of Majuro, we find that Eonmaj adhered to the lineage and succession line from Lijebto and down the line to her descendants, according to the genealogy chart, or the evidence in P-2. The evidence in P-3 and P-4, it is clear that in 1958, when the Land Determination of Majuro Atoll was generated, Jebdrik was the Irojlaplap, Lanjen was the Irojedrik, Neimoj was the Alap and Liwaika was the Dri Jerbal on Eonmaj weto. The Panel finds that the evidence in P-6, which Iroj Mo Jitiam signed with Alap Saul Letton and Senior Dri Jerbal Liwaika in 1977, and the evidence in P-8, which Leroij Chihaya Anmontha signed with Bokedrikdrik as a *manmaronron* of the alap at the time, and Item as Senior Dri Jerbal in 1995, and the evidence in

P-10, which the signatories included, Leroij Takbar, Alap Bokedrikdrik and Senior Dri Jerbal Item Andrike as well. From reviewing these documentary evidence, it is clear the descendants of Lijebto who were borne of her daughters, Libarto and Likuuj held the rights and titles of Alap and Senior Dri Jerbal on Eonmaj weto. For this reason, the Panel finds that Eonmaj is an *imon bwij*, as illustrated in these agreements that Lijebto's descendants signed as Alap titleholders with the Irojedriks of Eonmaj, from the time of Leroij Lanjen to the time of Iroj Mo, and down to Leroij Chihaya's time, until Leroij Takbar Ishiguro's time, when it changed.

According to Leroij Takbar, after Likojene, she divested the Alapship from the children of Likinem and assigned it to Libaraj's children following the change in the succession line that Lazarus Simon made in his genealogy chart or the evidence in D-15. He also assumed the title as a result of the *bwilok* caused by Likinem and Saul in their incestuous relationship. And lastly because of the statements made by Trusilla and Etlina that Takbar is not the Leroij for Eonmaj, and that they will not follow the custom and pay tribute to her. For this reason, Leroij Takbar divested the Alapship and transferred it to Lazarus Tiberke, as shown in the evidence D-14 or P-22, that was executed in October 18, 2016.

With respect to the grounds for which Leroij Takbar made changes, the Panel finds them as grounds that would have significant impact on the custom, and have the potential to affect the rights and titles of the Iroj's *kajur*. However, after Leroij Takbar divested Trusilla of her rights and title, and assigned them to Lazarus, this Panel finds it resulted in Trusilla, Edline, and Leroij Takbar refusing to cooperate in relation to their corresponding responsibilities under the custom. In relation to the matter of the genealogy chart of Lazarus Simon in which he changed the lineage or his succeeding generation, nieces and nephews, and wrote in Libaraj who is younger before Likinem, who is older as shown in the evidence D-15, this Panel finds it is insufficient

basis on which to divest one's rights and title because the facts do not support the notion that it is/was the result of a punishment, in that Lazarus did not remove Likinem and her descendants, but they continued to live and reside on Eonmaj weto to this day. Likewise, the same can be said about the grounds involving the incestuous relationship. According to the testimony given by the late Lazarus Tiberke during trial regarding the Alap rights and title in 2018, he testified and said that Likinem and Saul were in an incestuous relationship in 1977, however the divesting of the rights and titles took place when it became known in 1996.

APPLICABLE CUSTOM:

1. *Imon bwij – matrilineal line of succession.*
2. *Eomelan – land that belongs to the Iroij or a land for the Iroij's food crops (Ralik).*
3. *Kotra – land that belongs to the Iroij or a land for the Iroij's food crops (Ratak).*
4. *Jikin Iroij – a land in which the Iroij exclusively holds and exercises all rights and titles thereon.*
5. *Kitdre – a gift land from an Iroij to his wife, or from an alap to his wife with the approval of the Iroij and relevant members of the bwij.*
6. *Rialal – an individual who is the caretaker and custodian of a land but holds no titles thereon.*
7. *Bwilok – the divesting of land rights from an individual for an egregious offense under the custom.*
8. *Tole Mour – generosity towards or intended for individuals who are in a state of poverty or are destitute.*

APPLYING THE CUSTOM TO THE FACTS:

After reviewing all the evidence submitted by all three parties in this case, the TRC Panel finds that Eonmaj weto is an *imon bwij*. Exhibits P-1 and P-2 show the succession line of the descendants of Lijebto in the leases and the descendants of Lijebto signed with the Iroijs of Eonmaj weto, from the time of Lanjen and further continues to the present time of Takbar. The daughters of Lijebto, Libarto and Likuuuj procreated and had children thereby maintaining their matrilineal line to today as holders of the Alap and Senior Dri Jerbal on Eonmaj weto.

According to the Defendants, they claim Eonmaj is a *Eomelan* or *Kotra*. According to Marshallese custom, a *Eomelan* or *Kotra* are exclusively Iroij land. Jebdrik possessed some and afterwards, Lanjen would have placed their names in the Land Determination that was generated in 1958 on Majuro with respect to both titles of Eonmaj, however after three days of meeting in 1958, it was made clear that Neimoj was Alap and Liwaika the Senior Dri Jerbal. For the descendants of Libarto and Likuuuj to inherit the rights and titles on Eonmaj, it is because of the succession line depicted in the genealogy of the *bwij* that owns Eonmaj. This Panel finds that Eonmaj is an *imon bwij* and not an *imon Iroij*.

According to the Intervenor, Lazarus gifted the rights and title of Senior Dri Jerbal and *kitdre* it to his wife, Liwaika, who had no rights and title on Eonmaj but was only able to hold and exercise them by way of the *kitdre* from Lazarus to her. The Panel finds that the *bwij* consented to the *kitdre* as no one from the *bwij* registered any objections, and that Lanjen also approved it as the name Liwaika is shown to be the Senior Dri Jerbal for Eonmaj weto. According to the Defendants, Iroij Moses brought with him three women, two from Aur and one from Maloelap and placed them on Eonmaj weto as caretakers. The women from Aur

were sisters from Aur, Libarto and Likuuuj, from the *jowi* of *Raarno*, and the third one Nemu, from the *jowi* of *Rilotobo* from Maloelap. The Panel finds the evidence does not support the assertion that the three women were strictly caretakers.

The testimonial evidence from the Defendants alleged that after Kojene, Takbar took the rights and title of Alap from the *bwij* line that had previously held the title of Alap, according to Plaintiffs' Exhibit P-1 or P-2. After reviewing the evidence, the Panel finds the reasons put forth are not substantial and the evidence insufficient to substantiate the allegation regarding the *bwilok* against Likinem and Saul and their incestuous relationship, and the *bwilok* against Trusilla and Edline for their refusal to acknowledge Takbar as their Leroij on Eonmaj weto. This Panel finds that if there are customary wrongdoings by Trusilla and Edline, they are therefore causes that Takbar, as their Leroij can use as basis to admonish or compel them in a way that will bring peace and harmony among them.

This Panel agrees that Item frequently visited her aunts who resided on Eonmaj weto and looked after them, as they themselves attested to it. However, this Panel finds that Item held the rights and title of Senior Dri Jerbal on Eonmaj weto not only because she took care of them well and *tole mour* for them, but primarily because of the succession line of her ancestor, Liwaika, who became a Senior Dri Jerbal from Lazarus in his gift of *kitdre* to Liwaika.

PLAINTIFFS' WITNESSES:

Alap Title

1. Edline Langmour
2. Hemmy Hisaiah
3. George Saul

4. Helkena Anni
5. Rusin Abraham
6. Trusilla Langmour

Senior Dri Jerbal Title

1. Jabto Saul-Muller
2. Trusilla Langmour
3. Etlina Langmour

DEFENDANT'S WITNESSES:

1. Lamjok Alik
2. Betty Imaikta
3. Lolina Nena
4. Jimnar Total
5. Lazarus Tiberke
6. Tijen Dick
7. Kii Nathan
8. Leroij Takbar Ishiguro

Senior Dri Jerbal Title

1. Sharon Samson
2. Herbiana Jilej
3. Leroij Takbar Ishiguro

INTERVENOR'S WITNESSES:

1. Susan Heine
2. Antonio Elio

PLAINTIFFS' EXHIBITS:

1. P1 – Genealogy of Lijebto
2. P2 – Land Determination for Eonmaj
3. P3 – Right of Way Agreement 1958
4. P4 – Lease Agreement 1977
5. P5 – Lease Agreement by Alap 1982 (RES)
6. P6 – Agreement from NTA 1995
7. P7 – RES Lease Agreement
8. P8 – NTA Lease Agreement
9. P9 – Letter Authorization Bokedrikdrik
10. P10 – Baptists Church Lease Agreement (3/25/02)
11. P11 – Certificate of Death – Lazarus
12. P12 – Certificate of Death – Saul Letton
13. P13 – Certificate of Death – Neimoj Gideon
14. P14 – Certificate of Death – Baraj Lakbel
15. P15 – Certificate of Death – Wilmina Keaweamahi
16. P16 – Certificate of Death – Likinom Lotton
17. P17 – Certificate of Death – Nemoj Gideon
18. P18 – Certificate of Death – Saul Letton
19. P19 – Certificate of Death – Baraj Lakbel
20. P20 – Transcript Pages 25, 46, 54
21. P21 – Certificate of Death – Billong Bollong
22. P22 – Certificate of Death – Lokbel Langinmour

23. P23 – Majuro Land Determination
24. P24 – Genealogy Jeprik Erakrik
25. P25 – SP Tiberke v. Lazarus Tiberke, CA 1999-3006
26. P26 – Page 10 of Amata’s Book
27. P27 – Mojen eo an Jebdrik
28. P28 – Cash Power

DEFENDANT’S EXHIBITS:

Title of Alap

1. D1 – Term and Conditions for an electrical new hook up signed by Trusilla Langmour
2. D2 – Lolina Nena’s Declaration
3. D3 – Nemon Elanzo’s Declaration
4. D4 – Bantol Jorlang’s Declaration
5. D5 – Atine Timothy’s Declaration
6. D6 – December 20, 2016 Letter from Alap Lazarus Tiberke to families occupying Eonmaj
7. D7 – List of Donation dated 11/13/10
8. D8 – Land Boundary Determination by Lazarus Nabuwe (first Ri-alal Alap)
9. D9 – Genealogy of Eonmaj weto
10. D10 – Land Boundary Determination by landowners; Leroij Lanjen, Alap Nemoj, and Senior Dri Jerbal Liwaika of the Rilotobo Jowi
11. D11 – Genealogy of Eonmaj, 12/29/2017
12. D12 – Ri-alal place of origin, 5/20/1917

13. D13 – Will/Kalimur of Jebdrik Kitwerak – his final statement to all his Iroj in Tel,
7/19/1913
14. D14 – POA from Leroij Takbar Ishiguro for Lazarus Tiberke to take care of the land that
pertains to Irojlaplap title
15. D15 – Genealogy of Ujenel Weto, Aur
16. D16 – Leroij Takbar sworn statement, dated 11/13/2004, appointing John Aine Nelson as
Alap for Eonmaj weto
17. D17 – Verification of Lazarus Tiberke’s Alap title on Eonmaj weto
18. D18 – IA Memoranddum by Minister Wilbur Heine – granting electricity entitlement for
Majuro
19. D19 – Kojene Biranij letter, 9/16/1916 to Mayor, MalGov
20. D20 – Nemoj Kalimu, dated 12/12/1995
21. D21 – RES 2013 Lease Agreement
22. D22 – POA from Billong Bollong for Lazarus Tiberke
23. D23 – Death Certificate of Lazarus Simon Nabuwe
24. D24 – Death Certificate of Neimoj Gideon
25. D25 – Death Certificate of Saul Lotton
26. D26 – Death Certificate of Baraj Lakabel
27. D27 – Death Certificate of Wilmina Keaweamahi
28. D28 – Birth Certificate of Jacklynn Kurn
29. D29 – Death Certificate of Lobel Langmour
30. D30 – Land Boundary Determination by Lazarus S. Nabuwe

31. D31 – MalGov Check payable to Chiahia Anmontha, Meria Kaios, and Nemoj Letton
9/21/1990
32. D32 – Check payable to Lazarus Tiberke from MalGov, 10/7/2010, and 10/17/2017
33. D33 – Electricity Pre-paid docket to Lazarus in the sum of \$346.00
34. D34 – High Court Civil Action 200-003, Kojene Biranij v. Item Andrike

Senior Dri Jerbal Title

35. D1 – Genealogy used by Kojene Biranij and Item Andrike in HC Civil Action 2000-003
36. D2 – Iroj Genealogy 12/29/17
37. D3 – Genealogy
38. D4 – RES Lease Agreement
39. D5 – Genealogy for Senior Dri Jerbal on Eonmaj
40. D6 – Certificate of Land Title Holder for Alice Samson
41. D7 – Certificate of Land Title Holder for Kiar Lemari
42. D8 – Registration of Kiar to Act as Senior Dri Jerbal
43. D9 – Notice Re: Elizabeth Elio

INTERVENOR’S EXHIBITS:

1. I1 – Genealogy
2. I3 – Record of a Meeting on April 4, 7, 8, 1958
3. I5 – Right of Way Agreement (English)
4. I5A – Right of Way Agreement (Marshallese)
5. I6 – Land Use Agreement, Aug. 19, 1975
6. I7 – Lease Agreement, March 25, 1982
7. I8 – Lease Agreement, Sept. 23, 1982

8. I9 – Announcement for George Saul, 1/30/1987
9. I10 – MalGov't Check
10. I11 – Certificate of Death Elizabeth
11. I12 – Letter to NTA
12. I13 – Agreement between Eonmaj Owners & MalGov't
13. I14 – Agreement between Owners & NTA Representatives
14. I15 – Lease for Baptist Church
15. I16 – Lease Agreement RES

OTHER FACTS CONSIDERED BY PANEL

The Panel reviewed the genealogy of Lanwor, Defendant's Exhibit D-3 and finds that if it is proper for the descendants of Lanwor to inherit the Senior Dri Jerbal rights and title on Eonmaj, then it begs the question of how was Liwaika able to hold and exercise the rights and title of Senior Dri Jerbal when she had a younger brother, Kilo, who would have been the blood descendant and subsequent source of the bloodline or patrilineal line of descent. This arrangement confirms the idea that from among the siblings who are offsprings of Jeto, Liwaika was able to hold and exercise the rights and title of Senior Dri Jerbal on Eonmaj, as a result of her husband, Lazarus's gifting of the title as a *kitdre* to her.

This Panel also finds that Trusilla and Edline are obliged to give due regard and acknowledgment to, and cooperate with Leroij Takbar as the current knowledge holder as *Iroij im Jela*. As the knowledge holder she is presumed to know how best to take care of her people in ways that will ensure peace and harmony on her lands. As the custom of reciprocity that obliges all to respect one another is our most valuable custom that sets us apart, and the main reason for our small island nation's peaceful state of being.

Dated: 7th June 2024

_____/s/_____
Grace L. Leban
Presiding Judge, TRC

_____/s/_____
Nixon David
Associate Judge, TRC

_____/s/_____
Jasper Lanki
Pro Tem Associate Judge, TRC