 

**CAYMAN ISLANDS COURT OF APPEAL**

SUMMER SESSION 2023

COURT LIST

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

28 August – 15 September 2023

**All matters to be heard in Court 9**

**Monday, 28 August 2023**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

## **MEETING/READING**

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 **Tuesday, 29 August 2023**

10.00am

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

 **CIVIL APPEAL NO. 018 of 2020**

**FSD 0127 of 2019**

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**IN THE MATTER OF LUNG MING MINING CO. LTD**

**BETWEEN:**

**Mr Xiaoming Li**

**Appellant**

* and -

Mr Kris Beighton and Mr Patrick Cowley

(in their capacity as former Joint Official Liquidators of the Dissolved Company)

 Respondents

Nelsons Legal for Appellant

Conyers Dill & Pearman for Respondents

**Wednesday, 30 August 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

 **CIVIL APPEAL NO. 002 of 2023**

**On Appeal from Cause No. G 0073 of 2021**

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**BETWEEN:**

1. **Samuel Reid**
2. **Mervelin Reid**

**Appellants**

* and -

Lookout Holdings Ltd.

 Respondent

Chapmans Legal for Appellants

Nelsons for Respondent

## **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Not before 11.30am**

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**CIVIL APPEAL NO. 007 of 2023**

**G 0155 of 2022**

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**IN THE MATTER OF SS. 23 & 26(1) OF THE CONSTITUTION**

**AND IN THE MATTER OF O.77A GCR**

**BETWEEN:**

1. **The Attorney General of the Cayman Islands**

**First Appellant**

1. **The Department of Labour and Pensions**

**Second Appellant**

* and -

Shelliann Bush

 Respondent

Attorney General’ Chambers for Appellants

KSG for Respondent

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**Thursday, 31 August 2023**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

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**READING**

**Friday, 1 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

**CRIMINAL APPEALS 004 & 005 of 2020**

IND#0011 & 0002 of 2018

SC#0444 of 2018 & 05254 of 2017 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **9.30am – via zoom**

 **Elmer Wright**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Mr Keith Myers of Kelly Myers for Appellant

Mr Scott Wainwright of the DPP’s Office for Respondent

Case Management Hearing

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**CRIMINAL APPEAL 0023 of 2021**

IND#0102 of 2019

SC#02484 of 2019

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## **9.30am – via zoom**

## **Shane Connor**

##

 Appellant

- and -

HIS MAJESTY THE KING

Respondent

Ms Keva Reid of McKinney Reid for Appellant

Mr Scott Wainwright of Office of the DPP for Respondent

Case Management Hearing

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**CRIMINAL APPEAL 001 of 2019**

IND#0100 of 2017

SC#05877 of 2017 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **David Karl Lobo**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Ms Kathleen Ryan for Appellant

Mr Candia James-Malcolm of Office of the DPP for Respondent

Directions hearing

**10.00am**

 **CICA (Civil) Appeal Nos. 022 and 025 of 2022**

**(Formerly Cause No. G0207 of 2021)**

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**BETWEEN:**

**The Central Planning Authority**

Appellant

and

 The National Conservation Council

Respondent

 and

Cayman Property Investments Ltd

Interested Party

Jackson Law for Appellant

Nelsons for Respondent

Travers Thorp Alberga for Interested Party

Hand down of Judgment

## **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Monday, 4 September 2023**

 **10.00am**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

**CIVIL APPEAL NO. 015 of 2022**

**FSD 0244 of 2021**

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**BETWEEN:**

 **Sheng Lu**

**Appellant**

* and -

BVCF Management Limited

 Respondent

Harneys Westwood & Riegels for Appellant

Walkers (Cayman) LLP for Respondent

**Tuesday, 5 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **CIVIL APPEAL NO. 016 of 2022**

**Cause No. G 0216 of 2020**

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**BETWEEN:**

 **Etta Lou Robinson**

**Appellant**

* and -
1. Alfred McLean
2. Randy McLean

 Respondents

CP Attorneys for Appellant

Brady Law for Respondents

**Wednesday, 6 September 2023**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

**READING**

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**Thursday, 7 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **CRIMINAL APPEAL 017/2022**

IND#0063/2022

SC#01165/2022 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Aisha Jamilah English**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Mr. Dennis Brady of Brady Law for Appellant

Mr. Neil Kumar of the DPP’s Office for Respondent

Directions hearing

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 **CRIMINAL APPEAL 003/2022**

IND#0051/2021

SC#01140/2021

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##  **Tony O’Connell Ebanks**

##

 Appellant

- and -

HIS MAJESTY THE KING

Respondent

Mr. Clayton Phuran of CP Legal for Appellant

Mr. Scott Wainwright of Office of the DPP for Respondent

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**CRIMINAL APPEAL 002/2022**

IND#0060/2020

SC#02117/2020 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Carlos Jameel Bustillo**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Mr. Clayton Phuran of CP Legal for Appellant

Mr. Scott Wainwright of Office of the DPP for Respondent

 **CRIMINAL APPEAL 017/2022**

IND#0063/2022

SC#01165/2022 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Dencle Vic Barnes**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Appellant in Person

Mr. Scott Wainwright of Office of the DPP for Respondent

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**Friday, 8 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

 **CIVIL APPEAL NO. 001 of 2023**

**Cause No. G 0178 of 2018**

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**BETWEEN:**

 **Rogelio Antonio Hawkins**

**Appellant**

* and -

Abarbanel Ltd

 Respondents

Orren Merren for Appellant

Nelsons Law for Respondent

**Monday, 11 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

 **CRIMINAL APPEAL 004/2023**

SCA#0033/2021 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Joseph Bonsu-Akoto**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Appellant in Person

Mr. Neil Kumar of the DPP’s Office for Respondent

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 **CRIMINAL APPEAL 003/2020**

IND#0058/2015

SC#0830/2015 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Robert Aaron Crawford**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Ms. Amelia Fosuhene of Brady Law for Appellant

Ms. Candia James Malcolm of Office of the DPP for Respondent

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**CRIMINAL APPEAL 014/2022**

IND#0053/2021

SC#01391/2021 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **DeAnthony Russell**

 **Appellant**

- and -

 HIS MAJESTY THE KING

Respondent

Appellant in Person

Ms. Candia James Malcolm of Office of the DPP for Respondent

Directions hearing

**Tuesday, 12 September 2023**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

**READING**

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**Wednesday, 13 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

**CIVIL APPEAL NO. 018 of 2022**

**FAM 0032 of 2019**

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**BETWEEN:**

**V.P.**

**Appellant**

* and -

 W.P.

 Respondent

MSR Law for Appellant

Brady Law for Respondent

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**The Rt Hon Sir John Goldring, President**

**The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

**Not before 12.00**

**CIVIL APPEAL NO. 004 of 2022**

**FSD 0005 of 2020**

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**In the matter of the Companies Act (2021 Revision)**

**And in the matter of Virginia Solutions SPC Ltd**

**BETWEEN:**

**Augusta Health Care, Inc**

**Appellant**

* and -

 Valley Health System

 Respondent

Conyers Dill and Pearman for Appellant

Campbells for Respondents

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**Thursday, 14 September 2023**

**10.00am**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

  **CIVIL APPEAL NO. 026 of 2022**

**FAM 0143 of 2015**

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 **D.S.**

 **Appellant**

- and -

 N.J.

Respondent

Chapmans for Appellant

Respondent In Person

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**Friday, 15 September 2023**

**The Rt Hon Sir John Goldring, President**

 **The Hon John Martin KC, Justice of Appeal**

**The Rt Hon Sir Alan Moses, Justice of Appeal**

 **The Rt Hon Sir Jack Beatson, Justice of Appeal**

**DELIVERY OF JUDGMENTS**

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