

GP/ADR/KN/jnk/103584

October 24, 2024

[By Email: pllambesq@gmail.com]

Mr. Paul Lamb
c/o Lamb & Barnosky, LLP
534 Broadhollow Road
Suite 210
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U.S.A.

Dear Sir:

Re: CIV284 of 2023 – Lambchop Properties LLC et al v Apes Hill Club Homeowners Association Inc et al

The captioned matter came on for hearing on October 9, 2024 before the Honourable Justice Bryan L Weekes, Judge of the High Court, via Zoom. Garth Patterson S.C., in association with Khayyam Nakhuda and Michael Rivera of Lex Caribbean appeared on behalf of the Claimants; Roger Forde, K.C, appeared on behalf of the First to Third Defendants and Ruan Martinez appeared on behalf of the Fifth defendant. Paul Lamb was also present behalf of the Claimants.

The matter was convened as a status hearing, given that this was the first time it was before Justice Weekes, and the first time it was heard since February 27, 2024, following Justice Cornelius' ascension to the Court of Appeal bench in April 2024.

Garth reminded the court that there were two outstanding applications filed by the Claimants, which needed to be heard, the first was the application for specific disclosure filed on April 23, 2024 and the second was the application for a trial of preliminary issues filed on June 13, 2024. Garth reminded the Court that neither application had been responded to thus far by the Defendants. The Court requested from the Defendants why no answers were filed in response thus far to which counsel for the Defendants respectively, indicated that they had been awaiting a hearing at which directions could be given by the Court on such applications.

The Court indicated that this matter was a very serious one with important consequences for multiple stakeholders, and thus, he intended to deal with it as highest priority and as swiftly as possible. He also noted that he intended to hear the issues which the Claimants requested to be dealt with as preliminary issues, within such terms. In the circumstances, the judge ordered that

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Page - 2

October 24, 2024

Mr. Paul Lamb

the Defendants should file affidavits in response to the Claimants' two respective applications, on or before October 30, 2024, and all parties are to file written submissions on both respective applications on or before November 7, 2024. The Court specified that submissions related to the application for a trial on preliminary issues should speak to those issues substantively rather than whether that applications should be heard or not, since he intended to deal with them preliminarily in any event.

The Court then adjourned the matter to November 28, 2024, to deal with the two applications.

Yours sincerely,



Khayyam Nakhuda
Associate