

**IN THE SUPREME COURT OF  
THE REPUBLIC OF VANUATU**  
*(Civil Jurisdiction)*

**Civil**  
**Case No. 21/2203 SC/CIVL**

**BETWEEN: Vanuatu Agricultural Research  
Technical Center (VARTC)**

Claimant

**AND: Marie Loy, Cevu Vocor, Joseph Loy,  
Philimon Loy, Salome Loy, Pauline Loy  
representing Family (Daniel) Loy**

Defendants

**AND: Republic of Vanuatu**

Interested Party

*Date:* 11 February 2022  
*Before:* Justice V.M. Trief  
*Counsel:* Claimant – Ms V. Muluane  
Defendants P. Loy & S. Loy – Mr D. Yawha  
Other Defendants – in person  
Interested Party – State Law Office

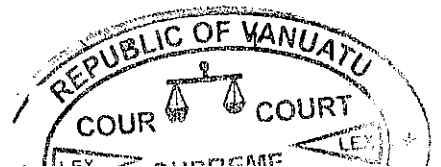
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**DEFAULT JUDGMENT – CLAIM FOR DAMAGES**

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WHEREAS on 18 August 2021 the Claimant filed a Claim for an amount of damages to be decided by the Court, and on 4 November 2021, filed proof of service of the Claim on the Defendants AND the Defendants have not filed a Defence within the time required by the *Civil Procedure Rules* nor within the time ordered by the Court AND WHEREAS the Claimant on 17 January 2022 filed a Request for Default Judgment, IT IS HEREBY ORDERED:

1. Judgment is entered for the Claimant against the Defendants for an amount to be determined.



2. The Claimant is to file and serve sworn statements as to the quantum of damages **by 4pm on 11 March 2022.**
3. The Defendant is to file and serve sworn statements as to the quantum of damages **by 4pm on 14 April 2022.**
4. The Claimant is at liberty to file and serve sworn statements in reply, and submissions, as to the quantum of damages **by 4pm on 6 May 2022.**
5. The Defendant is to file and serve submissions as to the quantum of damages **by 4pm on 27 May 2022.**
6. The date/time for Hearing as to quantum of damages will be set at the Pre-Trial Conference listed **at 8.30am on 23 March 2022.**
7. The Application for Default Judgment Against the Defendants and supporting Sworn statement of Breeanna Emelee filed on 17 December 2021 are declared **ineffectual.**
8. The Claimant is to serve a copy of this Default Judgment on the Defendants and file proof of service **by 4pm on 25 February 2022.**

**DATED at Port Vila this 11<sup>th</sup> day of February 2022**

**BY THE COURT**

*V.M. Trief*  
Justice V.M. Trief

