

BOB WOOD WORKSHOP, by and thru Momolu Kiatamba, all of the City of Monrovia, Liberia **MOVANT/APPELLEE VERSUS The Forestry Development Authority (FDA)** represented by its Managing Director, Bob Taylor and all Deputy Managing Directors and all authorized authorities all of the City of Monrovia, Liberia
RESPONDENT

APPEAL: MOTION TO DISMISS

HEARD: OCTOBER 31, 2005 DECIDED: JANUARY 6, 2006

JUDGEMENT WITHOUT OPINION

When this case was called for hearing, Counsellor Cooper kruah appeared for Movant/Appellee, while Counsellor Theophilus C. Gould, Solicitor General appeared on behalf of Respondent/Appellant.

Counsel for Respondent/Appellant, Counsellor Theophilus C. Gould, Solicitor General of Liberia, requested permission from Court to make a submission following representation, which request was granted. In his submission, Respondent/Appellant's Counsel conceded to the legal soundness of the Motion to Dismiss as file by the Movant/Appellee's Counsel, but requested/prayed this Court that the mandate to the Court below for enforcement should include an instruction that Respondent/Appellant be served a Writ of Execution upon the lifting of Sanctions against the exportation of logs during which time Respondent/Appellant will be involved fully in economic activities for the purpose of satisfying the subject judgement.

Counsel for Movant/Appellee interposed no objection (s) to the submission, but said that he thinks that the Application should be restricted to the legal soundness of the Motion. Once this is done, same should be left to the discretion of the Court below.

This Court being satisfied that the submission made by Counsel for Respondent/Appellant is in keeping with our law, it is hereby ADJUDGED:

That the submission made to the Motion to Dismiss by Counsel for Respondent/Appellant is in keeping with law and the Motion to Dismiss is hereby granted. The prayer made by the counsel for Respondent/Appellant that the mandate to be sent down to the lower Court should include an instruction that Execution of this Judgement should be done only upon the lifting of Sanction against the exportation of logs is hereby denied. The enforcement of this Mandate is hereby left

to the sound discretion of the Trial Judge. The Clerk of this Court is hereby ordered to send a Mandate to the Court below to resume jurisdiction and enforce this Judgement. Costs Ruled Against Respondent/Appellant. AND IT IS HEREBY SO ORDERED.

Given Under Our Hands And Seal Of This Honourable Supreme Court of Liberia
This 6TH Day Of January, A.D. 2006

Henry Reed Cooper

CHIEF JUSTICE/SUPREME COURT OF LIBERIA

Francis s. Korkpor

ASSOCIATE JUSTICE/SUPRME COU T OF LIBERIA

John L. Greaves

ASSOCIATE JUSTICE/SUPREME COURT OF LIBERIA

Ishmael P. Campbell

ASSOCIATE JUSTICE/SUPREME COURT OF LIBERIA

Felicia V. Coleman

ASSOCIATE JUSTICE/SUPREME COURT OF LIBERIA