

The Management of City Builders, by and thru its authorized Corporate Agent,
, Mme, Fatu Kiazolu, of the City of Monrovia, Republic of Liberia APPELLANT
Versus **The Purported City Builders**, represented by and thru All of its Corporate
Executive Officers, Incorporators, Shareholders, and Mr. Ezzat Eid, its President, all
of the City of Monrovia , Montserrado County, Republic of Liberia

LRSC 42

APPEAL

JUDGMENT

When this case was called for hearing, Counsellors Cooper W. Kruah, Milton D. Taylor and Theophilus C. Gould appeared for the appellant. Counsellors Golda Bonah Elliott and G. Moses Paegar of Sherman & Sherman, Inc. appeared for the appellees.

After a careful examination of the records und after listening to arguments on both sides and considering the evidence and the laws relevant thereto, it is hereby

ADJUDGED:

That the Judgment of the Sixth Judicial Circuit, Civil Law Court, Montserrado County, rendered on April 30, 2010, dismissing the appellant's Action of Damages for Wrong is hereby reversed. The appellees are estopped and prohibited from using the name City Builders Incorporated. This Court having held that indeed a wrong was committed against the appellant corporation, the appellee is ordered to pay as general damages to the appellant the sum of US\$50,000.00 (Fifty Thousand United States Dollars) and the amount of US\$100,000.00 (One Hundred Thousand United States Dollars) as punitive damages for its flagrant disregard to the order of the lower court, when by its Declaratory Judgment of January 7, 2008, the lower court declared the appellees' use of the name City Builders Incorporated as a violation of the law.

This Court observed that the appellant filed its case by and through a designated agent, but because a corporation is a legal entity separate and distinct from its owners or shareholders, the award of damages given herein shall be paid in the name of the appellant corporation.

The lawyer for the appellees, Sherman & Sherman, Inc. is ordered to pay the fine of US\$200.00 (Two Hundred United States Dollars) for violation of Rules 32 and 33, of the Code for the Moral and Ethical Conduct of Lawyers. The Code places the responsibility on a lawyer, among other things, to advise his client on questionable defenses, and warns the lawyer against disrespecting the judicial office which all lawyers are bound to uphold on the premise that he is only following

his client's instruction. The fine should be paid within 72 hours of the rendition of this Opinion.

The Clerk of this Court is hereby ordered to send a mandate to the Civil Law Court commanding the Judge presiding therein to resume jurisdiction over this case and to give effect to this Judgment. Costs are ruled against the appellee. It is hereby so ordered.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT
OF LIBERIA, THIS 15th DAY OF JULY, A.D. 2013.

[Please see pdf file for signatures]