



ASSOCIATE JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

IN THE HONOURABLE SUPREME COURT OF THE REPUBLIC
OF LIBERIA, SITTING IN ITS OCTOBER TERM, A.D. 2018

BEFORE HIS HONOR: FRANCIS S. KORKPOR, SR.....CHIEF JUSTICE
BEFORE HIS HONOR: KABINEH M. JA'NEH.....ASSOCIATE JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE
BEFORE HER HONOR: SIE-A-NYENE G. YUOH.....ASSOCIATE JUSTICE
BEFORE HIS HONOR: JOSEPH N. NAGBE.....ASSOCIATE JUSTICE

Intestate Estate of the late Emmanuel Smith
by and thru its Administrator and
Administratrix, Daniel D. Smith, Cedric
and Selma Pratt, all of the City of
Monrovia.....RESPONDENT/APPELLANT

Versus

M/V Vega Granat by and thru its captain and all
persons acting under its authority of the
City of MonroviaMOVANTS/APPELLEES

GROWING OUT OF THE CASE:

M/V Vega Granat by and thru its captain and all
persons acting under its authority of the
City of MonroviaMOVANTS

Versus

Intestate Estate of the late Emmanuel
Smith by and thru its Administrator and
Administratrix, Daniel D. Smith, Cedric
and Selma Pratt, all of the City of
Monrovia.....RESPONDENT

APPEAL

MOTION TO DISMISS

Intestate Estate of the late Emmanuel Smith)
by and thru its Administrator and)
Administratrix, Daniel D. Smith, Cedric)
and Selma Pratt, all of the City of)
Monrovia.....LIBELLANT)

-) Action of Damages for Wrongful
-) Death /Attachment in Admiralty

DECIDED: December 20, 2018

1. That Chapter 11, Section 11.6(2) of the Liberian Code of Laws Revised, Civil Procedure Law, Title 1, p. 121, provides that: "Except as provided in paragraph 1, an action shall not be discontinued by the claimant except upon order of the court and upon such terms and conditions as the court deems proper".
2. That in full knowledge of the law cited above, and a certain Settlement Agreement executed by and between libellant and libellees, specifically all of the sections thereof, libellant and libellees have instructed their respective legal counsels to file a Joint Stipulation of Discontinuance, Withdrawal and Abatement to the effect that:
 - a) The above-mentioned Libel/Action of Damages for Wrongful Death in Admiralty and the entire cause of Libel/Action be and the same is hereby discontinued, withdrawn, abated and terminated with PREJUDICE, NOW AND FOREVER; and
 - b) That this Joint Stipulation of Discontinuance, Withdrawal and Abatement be filed with the Clerk of the Supreme Court of Liberia; and by that filing, the entire cause filed with the Clerk of the Supreme Court of Liberia; the entire cause of Action/Libel for Damages for Wrongful Death in Admiralty in its entirety be terminated with PREJUDICE, NOW AND FOREVER.

Respectfully submitted,
The Intestate Estate of the late Emmanuel Smith
by and thru its Administrators, Administratrix,
Daniel E. Smith, Cedric T. Smith and Selma Pratt
by and thru its Legal Counsel:
Dean & Associates Law Offices, Carey Street, Monrovia, Liberia

Necular Y. Edwards
Counsellor-At-Law

M/V Vega Granat by and thru its captain and all those under its
authority, by and thru their Legal Counsel
Woah & Associates Law Firm, Inc.
Police Academy Junction, Paynesville, Liberia

David W. Woah
Counsellor-At-Law

Approved: His Honor Francis S. Korkpor, Sr.
Chief Justice, Supreme Court of Liberia"

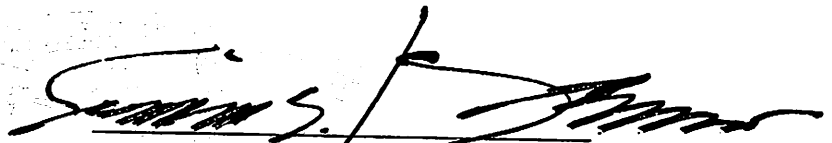
This Court, having ascertained from the counsels representing the parties as to whether their respective clients consented to the voluntary discontinuance and withdrawal of the appeal, and they, having answered in the affirmative, and this Court being satisfied with the said Joint Notice of Voluntary Discontinuance, it is hereby

ADJUDGED:

That the said Joint Stipulation of Voluntary Discontinuance, Withdrawal and Abatement, being consistent with the procedure and practice within this jurisdiction, is hereby granted and the appeal is accordingly ordered withdrawn.

The Clerk of this Court is ordered to have the appeal stricken from the docket of this Court and issue to either party a Certificate of Withdrawal. Costs are ruled against the appellant. AND IT IS SO ORDERED.

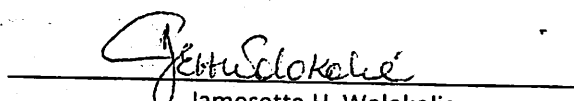
GIVEN UNDER OUR HANDS AND SEAL OF THE
SUPREME COURT OF LIBERIA THIS 20th DAY
OF DECEMBER A.D. 2018



Francis S. Korkpor, Sr.
CHIEF JUSTICE, SUPREME COURT OF LIBERIA



Kabineh M. Ja'neh
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Jamesetta H. Wolokolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Sié-A-Nyene G. Yuoh
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Joseph N. Nagbe
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA