

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA
SITTING IN ITS MARCH TERM, A.D. 2026

BEFORE HIS HONOR : YAMIE QUIQUI GBEISAY, SR.....CHIEF JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : YUSSIF D. KABA.....ASSOCIATE JUSTICE
BEFORE HER HONOR: CEANEH D. CLINTON-JOHNSON.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : BOAKAI N. KANNEH.....ASSOCIATE JUSTICE

The Management of SEGAL represented by its
authorized representative of the City of Monrovia,
Liberia.....Informant

Versus

Bill of Information

His Honor Roland F. Dahn, Resident Circuit Judge of
the Eight Judicial Circuit Court, Nimba County,
Liberia.....1st Respondent

AND

The Aggrieved workers of SEGAL of Yekkepa
Nimba County2nd Respondents

GROWING OUT OF THE CASE:

The Management of SEGAL represented by its
authorized representative of the City of Monrovia,
Liberia.....Appellant

Versus

APPEAL

His Honor Roland F. Dahn, Resident Circuit Judge of
the Eight Judicial Circuit Court, Nimba County,
Liberia.....1st Appellee

AND

The Aggrieved workers of SEGAL of Yekkepa
Nimba County2nd Appellees

GROWING OUT OF THE CASE:

The Management of SEGAL represented by its
authorized representative of the City of Monrovia,
Liberia.....Petitioner

Versus

PETITION FOR A WRIT
OF PROHIBITION

His Honor Roland F. Dahn, Resident Circuit Judge of
The Eight Judicial Circuit Court, Nimba County,
Liberia.....1st Respondent

AND

The Aggrieved workers of SEGAL of Yekkepa
Nimba County2nd Respondents

GROWING OUT OF THE CASE:

The Management of SEGAL represented by its
authorized representative of the City of Monrovia,
Liberia.....Petitioner

Versus

UNFAIR LABOUR PRACTICE

The Aggrieved workers of SEGAL of Yekkepa)
Nimba CountyRespondents)

Heard: March 18, 2026

Decided: May 20, 2026

MR. JUSTICE KANNEH DELIVERED THE OPINION OF THE COURT

On October 1, 2025, the informant herein, the Management of SEGAL, represented by its authorized Representatives, filed before the Supreme Court of Liberia a (14) count bill of information. The informant alleged *inter alia*, that the Resident Judge of the Eighth Judicial Circuit, Nimba County, His Honor Pape Suah, has improperly executed the Mandate of the Honorable Supreme Court of Liberia, growing out of an Opinion and Judgment entered on May 29, 2025, in the case: “*The Management of SEGAL, represented by its authorized Representatives v. His Honor Roland F. Dahn, Resident Circuit Judge of the Eighth Judicial Circuit Court, Nimba County and the Aggrieved workers of SEGAL of Yekepa, Nimba County.*” Specifically, the informant contended that contrary to the May 29, 2025 Mandate of the Supreme Court, ordering the lower court to resume jurisdiction over this case and conduct an investigation within four (4) months to ascertain the rightful parties entitled to an award, the Resident Judge of the Eighth Judicial Circuit Court, Nimba County, His Honor Pape Suah, delegated to the clerk typist of the said court the authority to carry out the verification exercise; that the records from the purported verification exercise is flooded with names of individuals currently in the employ of SEGAL, deceased employees, employees declared redundant and paid compensation, and employees who voluntarily resigned from the institution; that the actual beneficiaries of the award as per the Mandate of the Supreme Court should have been limited to the six (6) employees who were dismissed by the informant for their failure to report to work in thirty (30) days; however, the 1st respondent judge chose to exclude them as beneficiaries and ruled ordering the informant to award compensation to Three Hundred Forty-Seven (347) persons; that the said acts of the respondent judge, if permitted by this Court, will propagate the unjust enrichment the Supreme Court intended to prevent for which the case was remanded to the trial court with specific instructions; and that bill of information will lie to prevent the improper execution of the Supreme Court’s Mandate.

On March 18, 2026, the co-respondent, the Aggrieved Workers of SEGAL, filed a four (4) count returns to the bill of information essentially arguing that the trial judge

did not deviate from the Mandate of the Supreme Court; that it is the informant that continues to obstruct the verification exercise as mandated by the Supreme Court due to its failure to produce the list of workers in its employ and has repeatedly questioned any finding requiring payment of compensation beyond the six (6) employees who filed the original suit on behalf of the workers. Hence, the informant's sole intent is to stall the payment of just entitlements to the aggrieved workers. Therefore, the bill of information is a fit subject for dismissal.

This Court, having reviewed the facts contained in the records and the arguments advanced by the counsels for the parties before this Court, says that the singular question which must be answered is whether bill of information will lie?

It is the law that in order for a bill of information to be granted, the matter forming the basis of the information must have been pending before the Supreme Court, or decided by it; there must be an act to usurp the province of the Court; there must exist some irregularities or obstruction in the execution of the Supreme Court's mandate; and there must have been a refusal to carry out the Supreme Court's mandate. Moreover, this Court has further held that only a bill of information can remove uncertainty from its judgment or correct the enforcement of its judgment. *Mr. Mustapha Tunkara v. His Honor Boima Kontoe et. al*, Supreme Court Opinion, October Term 2025; *Srimex Oil and Gas Company v. Ecofuel*, Supreme Court Opinion, October Term 2025; *J. Fonati Kofa and Members of the House of Representative of the 55th Legislature v. Representative Richard N. Koon, purported speaker of the house of Representative, Representative Thomas Fallah, Deputy Speaker of the House of Representative, et al.*, Supreme Court Opinion, March Term 2025.

The informant has asked this Court to grant its bill of information, contending that the respondent judge has irregularly executed the Mandate of the Supreme Court by expanding the scope of those entitled to payment of compensation by the informant and by illegally delegating the task specifically assigned the trial judge by the Supreme Court to the clerk typist.

At this juncture, we deem it appropriate to quote a pertinent portion of the May 29, 2025 Opinion and Judgment of this Court from which the present bill of information emanates as follow, to wit:

"To avoid unjust enrichment by the appellees, since the contentions of the appellant that the mandate of the trial judge was never upheld to determine the actual number

of persons/beneficiaries, because the records in the case file did not state with clarity the authorized person of the appellant signing for those precepts or assignments, we think it is proper to remand this case to the trial court to identify the actual beneficiaries since the appellant is alleging that the list contains names of individuals who have never worked with the appellant or who left the employ of the appellant either through resignation or death long before the aggrieved employees were dismissed. We hold that the appellant is liable to pay the 2nd appellees their respective claims following the verification of the actual beneficiaries for the award because a further review of the certified records before us give us no indication that the mandate from the Eighth Judicial Circuit for Nimba County National Labor Court was ever executed; that is to say, the determination of the actual beneficiaries for the award.”

Firstly, we see that the informant has described as *ultra vires* the trial judge’s alleged delegation of the verification exercise to the clerk typist. This is preposterous! The reason is that the clerk typist is a staff of the court and is hired to assist the judge in the execution of his task. Furthermore, the informant has not alleged any wrongdoings on the part of the clerk typist to claim this Court’s attention. Hence, we will not belabor this issue.

Secondly, we take judicial cognizance of the informant’s allegation that the beneficiaries qualified for payment of compensation as per the Mandate of the Supreme Court should have been restricted to the six (6) persons who initially filed the action of unfair labour practice. We find this reasoning inconceivable. This is because the Mandate from the Supreme Court only ordered the trial court to verify the actual beneficiaries for the award. It did not restrict or limit the number of beneficiaries the lower court could find. If this Court were to restrict the number of beneficiaries to be awarded compensation to six (6) as the informant has interpreted it to be, there would have been no basis for the Supreme Court to remand the case to the trial court for the conduct of an investigation to ascertain the number of beneficiaries entitled to compensation. All we see here is a fishing expedition by the informant.

Thirdly, we observe that the contentions proffered by the informant in the instant bill of information as regards the inclusion of certain persons/purported beneficiaries who have never been in the employ of the informant or have either died or been dismissed, are similar in nature to those raised in the appeal addressed by the Full Bench of the Supreme Court. In fact, as seen from the above-stated Mandate of the

May 29, 2025 Opinion and Judgment of this Court, ensuring that the actual beneficiaries receive payment of compensation was the primary basis for the Supreme Court remanding the case to the lower court. However, upon review of the list purportedly verified by the trial court, we see that it is just a basic revision of the previous list presented to the lower court by the aggrieved workers. This is a clear deviation from the May 29, 2025 Mandate of the Supreme Court and same constitutes an affront to this Court. What this Court expected was that all the disputing parties would have presented the pieces of evidence in support of their various claims to the lower court for verification. Specifically, the Management of SEGAL being the employer should have presented to the court an exhaustive list of the various classes of employees in its employ and those in the categories subject of the verification exercise. Notwithstanding all that we have said, the records reveal that throughout these proceedings, the Management of SEGAL have reneged or hesitated in providing the requisite employees' records to the lower court for verification. What might be the motive for this action is anyone's guess. Hence, this Court hereby orders that a team of referee be appointed constituting one representative from SEGAL, one representative from the Aggrieved Workers Union of SEGAL and a representative from the Association of Female Lawyers of Liberia (AFELL) who shall serve as the head of the team of referee. The disputing parties are required to submit the pieces of evidence supporting their respective claims to the team of referee for verification in no later than ten (10) days as of the reading of this Opinion, and the referee shall present their findings to the court in no later than sixty (60) days for prompt action in order to bring closure to this matter. A failure or neglect by any of the parties to fully comply with this Mandate of the Court will constitute a waiver by the defaulting party and contempt of court.

It is the law that the office of bill of Information is limited in scope. Its purpose is not to reopen factual disputes or to re-litigate matters concluded by the trial court, but only to correct or prevent improper execution of this Court's mandate; and that where the Mandate of the Supreme Court is being irregularly executed a bill of information will lie. *Sarah Sirleaf v. El-Bim et al.*, Supreme Court Opinion, March Term, 2013.

WHEREFORE AND IN VIEW OF THE FOREGOING, the bill of information filed by the Management of SEGAL represented by its Authorized Representatives, is hereby granted. The Clerk of this Court is ordered to send a Mandate to the court below commanding the judge presiding therein to resume jurisdiction over this case

and give effect to this Judgment. Costs shall abide final determination. AND IT IS
HEREBY SO ORDERED.

Bill of Information Granted

When this case was called for hearing Counsellors Stephen J.C.S. Kai, Lawrence Tomah and Jesse B. Korboi of the Public Interest Law Office appeared for the informant. Counsellor M. Wilkins Wright of the Wright and Associates Law Firm, Inc. appeared for the co-respondent, The Aggrieved Workers of SEGAL.