U I ED NA I DI E T IB A

Cas No ND G A and

Jud nt No ND

Dat Marc

r na En s

Before: Ju o s r

Registry: G n v

Registrar: n r s

A YA
A JA
HA BA A I

v

EC E A Y GE E A
F HE I ED A I

SUMMARY JUDGMENT

Counsel for Applicant:

r pr s nt

Counsel for Respondent:

t p n Co r G

Cas No ND G A
and

Jud nt No ND

Introduction

E o t App nts G n r st rs o t n t t ons on Dru s n Cr DC In n t s rv o t r n t on ro t pr or to ov r ot on or t ns on o t to n pp t on nst t s on o n t t ons o Hu n sour s n nt Int rn t on C v rv Co ss on H IC C t t t o pr ns v s r surv on u t n w D In n Jun oun t t t urr nt s r s or o r ru t st r ov t our r t s ont n nt H o to r

App nts st t t t

ons qu nt t r s n no r v s on o s r s s t r t o pr ns v surv or st rs r on o r pr or to n u n t App nt s on o un t s t t t st r on o r pr or to w ont nu to on G n n t r r s r s or t o pr ns v s r surv n Jun A n nts to s r s r v s on or t G n r rv t or n r v s on or t t on r t or p to st r on o r pr or to ov r r ssu to r t r v s ow n s t n n u ow n v n r v s ownw r

H v n r v w t App nts su ss ons t r un s o t v w t t t s not n ss r to r nt n t ns on o t or n n pp t on s n t n s r su nt to r r s n o p t pp t ons

Facts

A Co pr ns v o r urv w s on u t n w D n Jun n t r su ts o t surv w r pro u t H on ts w s t s r t n ts t to r nt o ow n t r s

Cas No ND G A
and

Jud nt No ND

u t w D In o s r s

AAA o ow n t o pr ns v s r surv on u t n

Cas No ND G A
and

Jud nt No ND

pp to st rs or w o
t ow n o s p pr or to on
ov r

In t pp t ons t s str ss t t t s r r s us n t App nts r v pr u n t t to ow t App nts to n t surv n t r su ts t r o t st o o p r tors nt rv w n r t n ur n t s r surv s ou s r w t t App nts

Consideration

As pr n r tt r s n t pr s nt n v u pp t ons on rn nt s ons r on o on ts n r s t s qu st ons o t n w n s n App nts r st rs o DC In t r un ons rs t ppropr t to u t upon t o nt r or s n u nt s ssu n r sp to t t r pp t ons

r un r s t t ts urs t on s t n t t t G n r Ass s p s or t n on t t t r un s o t n w s st o n str t on o ust s not v n pow rs on t os on rr un r t r r sp t v st tut s s p r o A E opt on D r In p rt u r t s op o t r un s urs t on s r t r n n t rt o ts t tut w prov s

Article 2

r D sput r s n r t n ss u nt os n pp Co on s prov n n or u C C n rt p r r p o t pr s nt st tut nst t r t r G n r s t C A n str t v r o t n t t ons

o pp n n str t v s on t t s to n non p n w t t t r o ppo nt nt or

Cas No ND G A
and

Jud nt No ND

Co pr ns v o r urv w s
on u t ro Jun to D r

n J nu r n o r urv Co tt
C t n w s to ons r n s n t C r port
pr p r t s r surv sp sts J nu r or
pr s nt t on to t H qu rt rs r t r n Co tt
r su ts o t surv n t t t n t t ons s r s or t
G n r rv n t on r t or s w r r t n
t os o t r t n o p r tors n
r sp t v

n J nu r t n n s o t s r surv
sp sts w r pr s nt to t H qu rt rs r t r n
Co tt w un n ous pprov t surv r su ts n
r o n r n o s r s or st rs r on
o r n t p nt t on o s on r s r s s or st
r r ru t t r r

H pro u t t s r surv r su ts on ts
w s t on F ru r n t n t t t s r s
pp to st r on o r wou ro n unt t p
s os w r s s on r s r s s wou pp to
st r ru t on or t r r

Ju nt *u* w s pp n t s r un to
susp n ts pro n s n t pr s nt s unt t out o o s pp w s
nown

n F ru r t App s r un n ts pu nnoun nt o
t out o o ts spr n s ss on s ss t pp n up t ov
r r n D sput r un Ju nt

It o ows ro t pu nnoun nt t t r v t n n s o
Ju nt *u* D w r on r w t out r s rv t on
t App s r un C s o A Cons r n t t t
D sput r un s ou r o n r sp t n t App s r un s
ur spru n *o* A t nnot ut r t r t t t t t
s on to r t st n s r s s n to r v w ownw r ow n s
not onst tut n n str t v s on or t purpos o rt o ts
t tut pr s nt pp t ons r t r or not r v *o*

Cas No ND G A
and

Jud nt No ND

ov s tt r o w w u t v n w t out
s rv n t pp t on to t spon nt or r p n v n t w s not r s
t p rt s s A A