



THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE

ANTIGUA AND BARBUDA
CLAIM NO: ANUHCV2021/0409
BETWEEN:

Submitted Date: 10/10/2022 15:40

Filed Date: 10/10/2022 15:41

ASOT A. MICHAEL

Fees Paid: 27.00

Applicant/Claimant

And

(1) MARY-CLARE HURST

In her capacity as General Secretary of the Antigua and Barbuda Labour Party

(2) PAUL CHET GREENE

In his capacity as Chairman of the Antigua and Barbuda Labour Party

(3) GASTON BROWNE

In his capacity as the Political Leader of the Antigua and Barbuda Labour Party

Respondents/Defendants

ORDER

BEFORE THE HONOURABLE MADAM JUSTICE MARISSA ROBERTSON (IN CHAMBERS)

DATED: 11th DAY OF MAY, 2022

ENTERED THE: 17th DAY OF OCTOBER, 2022

APPEARANCES (via Zoom):

Mr. Hugh Marshall of Counsel for the Claimant

Dr. David Dorsett appearing with Ms. Gail Christian of Counsel for the Defendants

ATTENDANCE (via Zoom)

Asot A. Michael – Claimant

Lionel Hurst – Defendants representative

UPON the Urgent Application of the Applicant/Claimant and 3rd Affidavit of Asot A Michael both filed on 1st April, 2022.

AND UPON the Application for Urgent Interim Remedy of the Respondents/Defendants and the Affidavit of Urgency of Paul Chet Greene both filed on 13th April, 2022.

AND UPON READING the Respondents/Defendants Submissions Seeking the Dismissal of the Application for Injunctive Relief filed on 1st April, 2022 and Authorities filed on 7th April, 2022.

AND UPON READING the 2nd Affidavit of Lionel Hurst filed on 8th April, 2022.



AND UPON READING the 4th Affidavit of Asot A. Michael and Exhibits filed on 11th April, 2022.

AND UPON READING the Respondents/Defendants Authorities Opposing the Claimant's 2nd Application for Injunction filed on 12th April, 2022.

AND UPON READING the Applicant/Claimant's Submissions filed on 12th April, 2022.

AND UPON READING the Respondents/Defendants Speaking Notes filed on 12th April, 2022.

AND UPON READING the Applicant/Claimant's Notice of Objection filed on 14th April, 2022.

AND UPON READING the Affidavit of Urgency and Affidavit of Rawdon Turner filed on 19th April, 2022.

AND UPON READING the Respondents/Defendants Submissions filed on 19th April, 2022.

AND UPON HEARING Counsel for the Applicant/Claimant Mr. Hugh Marshall of Messrs. Marshall & Co. and Counsel for the Respondents/Defendants Dr. David Dorsett of Watt Dorsett Hewlett Law.

AND UPON the Applicant/Claimant giving an undertaking to abide by any Order in damages that the Court shall deem to have been sustained to the Respondents/Defendants as a consequence of this Order if it is later determined that the injunction ought not to have been granted.

IT IS HEREBY ORDERED THAT:

1. The Defendants/Respondents are hereby restrained by themselves, their servants and/or agents or otherwise from holding out directly or indirectly, any person to represent the Constituency of St. Peter on behalf of the Antigua and Barbuda Labour Party who is not selected in accordance with the provisions of the Revised Constitution of the Antigua and Barbuda Labour Party.
2. An Interim declaration is granted that Rawdon Turner was not selected in accordance with the provisions of the Revised Constitution of Antigua and Barbuda Labour Party. The Interim Injunction to stand until the hearing and determination of this action or until there are fresh actions/proceedings initiated and conducted in accordance with the Revised Constitution of the Antigua and Barbuda Labour Party.

IT IS FURTHER ORDERED THAT:

- a. The costs of the Claimant's Application are costs in the cause.
- b. The Defendant's Application filed on 13th April, 2022 is dismissed with costs quantified in the sum of \$3,000.00 payable by the Defendants to the Claimant. Such costs to be paid within twenty-one days from today's date.

BY THE COURT



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REGISTRAR

NOTICE: If you **MARY-CLARE HURST, PAUL CHET GREENE, GASTON BROWNE OR ANY MEMBER OF THE ANTIGUA AND BARBUDA LABOUR PARTY** fail to comply with the terms of this Order, proceedings may be commenced against you for contempt of Court, and you may be liable to be imprisoned.

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CLAIM NO: ANUHCV2021/0409**

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**ASOT A. MICHAEL
*Applicant/Claimant***

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In his capacity as the Political Leader of the Antigua and Barbuda Labour Party

Respondents/Defendants

DRAFT ORDER

**Marshall & Co
Attorneys-at-law
For the Applicant/Claimant**