

IN THE SUPREME COURT OF THE VIRGIN ISLANDS
AMENDED ORDER SETTING CALENDAR OF CASES FOR
CONSIDERATION AND FOR ORAL ARGUMENT

The Supreme Court will convene in its First Session of its 2014 Term on **Tuesday, January 14, 2014**. Unless otherwise noted, the Honorable **RHYS S. HODGE**, Chief Justice, the Honorable **MARIA M. CABRET**, Associate Justice, and the Honorable **IVE ARLINGTON SWAN**, Associate Justice, will comprise the panel scheduled for January 14, 2014.

AND NOW, this 7th day of January, 2014, it is hereby

ORDERED, that the following cases are scheduled for consideration before the Supreme Court of the Virgin Islands in its First Session, 2014 Term:

S. Ct. Civ. No. 2012-0138
Super. Ct. Civ. No. 397/2010(STT)
**ACTION FOR TRESPASS; COMMON LAW FRAUD;
CIVIL CONSPIRACY AND CONVERSION**

ROBERT L. KING AS TRUSTEE FOR WINSTON LIBURD,
Appellant/Plaintiff,

v.

MACKCHESNEY APPLETON,¹
Appellee/Defendant.

Counsel for Appellant
Robert King, Esq.

Counsel for Appellee
Mackchesney Appleton, *pro se*

¹ Pursuant to Rule 25(c), Appellee will not be heard at Oral Argument.

S. Ct. Civ. No. 2012-0125
Super. Ct. Civ. No. 419/2004(STT)
ACTION FOR DAMAGES

**CONSTRUCTION TECHNICIANS d/b/a V.I.A.R.C.O. and CLEVE A. GEORGE,
in his capacity as President and Individually,
Appellants/Defendants,**

v.

**ZURICH AMERICAN INSURANCE COMPANY, as successor-in-interest to
ZURICH INSURANCE COMPANY (U.S. Branch),
Appellee/Plaintiff.²**

Counsel for Appellant
Cleave-Allan George, *pro se*

Counsel for Appellee
Sunshine S. Benoit, Esq.

S. Ct. Civ. No. 2013-0001
Super. Ct. Civ. No. 202/2009(STT)
ACTION FOR DECLARATORY AND INJUNCTIVE RELIEF AND DAMAGES

**DELIA THOMAS, HILARY ACTIVILLE, PERRY COWAN, ANDREA KING, DONALD
KING, ALVIN PEROSKY, ROSE PETROSKY, ANTHONY ROMANO, ELLEN
STEWART, CAROLYN TYSON, A. JEFFREY WEISS & RUSSELL WHITE,
Appellants/Plaintiffs,**

v.

**VIRGIN ISLAND BOARD OF LAND USE APPEALS, ST. MARK'S COPTIC
ORTHODOX CHURCH INC., AND ROBERT S. MATHES, COMMISSIONER VIRGIN
ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES,
Appellees/Defendants.**

Counsel for Appellant
A. Jeffrey Weiss, Esq.

Counsel for Appellee
Desmond L. Maynard, Esq.
Shawn Maynard-Hahnfeld, Esq.
Paul J. Paquin, Esq.

² Chief Justice Rhys S. Hodge being recused from consideration of this matter, the panel convened to consider this matter comprises of the Honorable Maria M. Cabret, Associate Justice, Honorable Ive Arlington Swan, Associate Justice and the Honorable Robert A. Molloy, Designated Justice.

S. Ct. Civ. No. 2013-0041
Super. Ct. Civ. No. 308/2010(STT)
ACTION FOR DEBT

MICHAEL PALISOC and BENJAMIN PALISOC,
Appellants/Plaintiffs,

v.

DR. VINCENTE POBLETE,
Appellee/Defendant³.

Counsel for Appellant
Judith Bourne, Esq.

Counsel for Appellee
Kerry E. Drue, Esq.

S. Ct. Crim. No. 2013-0060
Super. Ct. Crim. No. 449/2012(STX)
**UNAUTHORIZED POSSESSION OF FIREARM; FAILURE TO REPORT FIREARM
OBTAINED OUTSIDE OR BROUGHT INTO THE VI**

DAVID M. LOPEZ,
Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS,
Appellee/Plaintiff.

Counsel for Appellant
Scot F. McChain, Esq.

Counsel for Appellee
Tiffany V. Monroe, Esq.

³ Associate Justice Ive Arlington Swan being recused from consideration of this matter, the panel convened to consider this matter comprises of the Honorable Rhys S. Hodge, Chief Justice, the Honorable Maria M. Cabret, Associate Justice, and the Honorable Robert A. Molloy, Designated Justice.

S. Ct. Civ. No. 2013-0063
Super. Ct. Civ. No. 443/2012(STX)
ACTION FOR DAMAGES

**CACCIAMANI AND ROVER CORPORATION, D/B/A CACCIAMANI AND ROVER
ARCHITECTS,**
Appellants/Plaintiffs,

v.

BANCO POPULAR AND BP SIRENUSA INTERNATIONAL LLC,
Appellees/Defendants.

Counsel for Appellant
Lee J. Rohn, Esq.

Counsel for Appellee
Michael C. Quinn, Esq.

It is further

ORDERED that the Court will hear **ARGUMENTS** in the above-noted cases on **January 14, 2014**, in **Supreme Court of the Virgin Islands- St. Thomas, 161B Crown Bay**, as follows:⁴

Oral Arguments will commence at **10:00 AM**, in the following cases:

1. **King v. Appleton**
S. Ct. Civ. No. 2012-0138
2. **Delia Thomas, et al. v. V.I. Board of Land of Use of Appeals, et al.**
S. Ct. Civ. No. 2013-0001
3. **Palisoc, et al. v. Poblete**
S. Ct. Civ. No. 2013-0041
4. **Cacciamani and Rover v. Banco Popular, et al.**
S. Ct. Civ. No. 2013-0063

⁴Pursuant to Supreme Court Rule 27(b), each side is allotted fifteen (15) minutes to present arguments. Any counsel who would like to appear remotely from the St. Croix Court, must notify the Court no later than (5) days prior to the date of Oral Arguments.

CASES TO BE CONSIDERED WITHOUT ORAL ARGUMENT

1. **Construction Technician v. Zurich American Insurance Company**
S. Ct. Civ. No. 2012-0125

2. **Lopez v. People**
S. Ct. Crim. No. 2013-0060

SO ORDERED this 7th, day January, 2014.

FOR THE COURT:

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

ATTEST:
VERONICA J. HANDY, ESQ.
Clerk of the Court